



General Assembly

**Substitute Bill No. 6441**

January Session, 2021



**AN ACT CONCERNING CLIMATE CHANGE ADAPTATION.**

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

1 Section 1. Section 22a-498 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2021*):

3 (a) Any municipality [selected by the commissioner to participate in  
4 the pilot program established pursuant to section 22a-497] may, by  
5 ordinance adopted by its legislative body, designate any existing board  
6 or commission or establish a new board or commission as the  
7 stormwater authority for such municipality. If a new board or  
8 commission is created, such municipality shall, by ordinance, determine  
9 the number of members thereof, their compensation, if any, whether  
10 such members shall be elected or appointed, the method of their  
11 appointment, if appointed, and removal and their terms of office, which  
12 shall be so arranged that not more than one-half of such terms shall  
13 expire within any one year.

14 (b) The purposes of the stormwater authority shall be to: (1) Develop  
15 a stormwater management program, including, but not limited to, (A) a  
16 program for construction and post-construction site stormwater runoff  
17 control, including control detention and prevention of stormwater  
18 runoff from development sites; or (B) a program for control and

19 abatement of stormwater pollution from existing land uses, and the  
20 detection and elimination of connections to the stormwater system that  
21 threaten the public health, welfare or the environment; (2) provide  
22 public education and outreach in the municipality relating to  
23 stormwater management activities and to establish procedures for  
24 public participation; (3) provide for the administration of the  
25 stormwater management program; (4) establish geographic boundaries  
26 of the stormwater authority district; and (5) recommend to the  
27 legislative body of the municipality in which such district is located the  
28 imposition of a [levy] fee upon the [taxable] interests in real property  
29 within such district, the revenues from which [may] shall be used in  
30 carrying out any of the powers of such district. In accomplishing the  
31 purposes of this section, the stormwater authority may plan, layout,  
32 acquire, construct, reconstruct, repair, maintain, supervise and manage  
33 stormwater control systems.

34 (c) (1) Any stormwater authority created by a municipality pursuant  
35 to subsection (a) of this section may levy fees, [from] approved by the  
36 legislative body of the municipality in accordance with the provisions  
37 of subdivision (3) of this subsection, on property owners of the  
38 municipality, except as specified in subdivision (2) of this subsection,  
39 for the purposes described in subsection (b) of this section. In  
40 establishing fees for [any property] properties in its district, the  
41 stormwater authority [may] shall consider criteria, including, but not  
42 limited to, the following: The area of the property containing  
43 impervious surfaces from which stormwater runoff is generated, land  
44 use types that result in higher or lower concentrations of stormwater  
45 pollution and the grand list valuation of the property.

46 (2) The stormwater authority may [reduce or defer] not levy such fees  
47 [for] on land classified as, or consisting of, farm, forest or open space  
48 land, except on areas of such land that contain impervious surfaces from  
49 which stormwater runoff is generated.

50 (3) Each stormwater authority shall present its budget annually to the  
51 legislative body of the municipality for approval. Such budget shall

52 include the specific programs the authority proposes to undertake  
53 during the fiscal year for which the budget is presented, the projected  
54 expenditures for such programs for the fiscal year and the amount of the  
55 fee or fees the authority proposes to levy to pay for such expenditures.  
56 In no event shall the aggregate amount of the fees proposed for the fiscal  
57 year exceed the aggregate amount of such projected expenditures for  
58 the fiscal year. The legislative body of the municipality may approve fee  
59 amounts that are less than the amounts proposed by the authority but  
60 in no event shall the legislative body of the municipality approve fee  
61 amounts that are greater than the amounts proposed by the authority.

62 (d) Any person aggrieved by the action of a stormwater authority  
63 under this section shall have the same rights and remedies for appeal  
64 and relief as are provided in the general statutes for taxpayers claiming  
65 to be aggrieved by the doings of the assessors or board of assessment  
66 appeals.

67 ~~[(d)]~~ (e) The authority may adopt municipal regulations to implement  
68 the stormwater management program.

69 ~~[(e)]~~ (f) The authority may, subject to the commissioner's approval,  
70 enter into contracts with any municipal or regional entity to accomplish  
71 the purposes of this section.

72 (g) For purposes of this section and sections 22a-498a and 22a-498b,  
73 as amended by this act, "municipality" means any town, city, borough,  
74 consolidated town and city or consolidated town or borough.  
75 "Municipality" does not include any local school district, regional school  
76 district, metropolitan district, district, as defined in section 7-324, or any  
77 other municipal corporation or authority authorized to issue bonds,  
78 notes or other obligations under the provisions of the general statutes or  
79 any special act.

80 Sec. 2. Section 22a-498a of the general statutes is repealed and the  
81 following is substituted in lieu thereof (*Effective July 1, 2021*):

82 A municipal stormwater authority created pursuant to section 22a-

83 498, as amended by this act, and located in a distressed municipality, as  
84 defined in subsection (b) of section 32-9p, having a population of not  
85 more than twenty-eight thousand shall constitute a body politic and  
86 corporate and the ordinance establishing such authority may confer  
87 upon such authority the following powers: (1) To sue and be sued; (2)  
88 to acquire, hold and convey any estate, real or personal; (3) to contract;  
89 (4) to borrow money, including by the issuance of bonds, provided the  
90 issuance of such bonds is approved by the legislative body of the  
91 municipality in which such authority district is located; (5) to  
92 recommend to the legislative body of such municipality the imposition  
93 of [a levy] fees upon the [taxable] interests in real property within such  
94 authority district, the revenues from which [may] shall be used in  
95 carrying out any of the powers of such authority; (6) to deposit and  
96 expend funds; and (7) to enter property to make surveys, soundings,  
97 borings and examinations to accomplish the purposes of section 22a-  
98 498, as amended by this act.

99 Sec. 3. Section 22a-498b of the general statutes is repealed and the  
100 following is substituted in lieu thereof (*Effective July 1, 2021*):

101 Any charge due to a municipal stormwater authority and any fee  
102 levied pursuant to section 22a-498, as amended by this act, and not paid  
103 [within] in full on or before thirty days [of] after the due date shall  
104 thereupon be delinquent and shall bear interest from the due date at [the  
105 rate charged by the municipality's tax collector for] such rates and in  
106 such manner as provided for delinquent property taxes under section  
107 12-146. Any such unpaid charge or fee, or portion thereof, shall  
108 constitute a lien upon the [real estate] property against which such  
109 charge or fee was levied from the date it became delinquent. Each such  
110 lien may be continued, recorded and released in the manner provided  
111 by the general statutes for continuing, recording and releasing property  
112 tax liens.

113 Sec. 4. (NEW) (*Effective July 1, 2021*) (a) A municipality may establish,  
114 by vote of its legislative body, a conveyance fee on the conveyance of  
115 real property in such municipality. Such fee shall be paid by either the

116 buyer or the seller, or a combination thereof, of such real property, as  
117 agreed upon by such buyer and seller. The rate of such fee shall be (1)  
118 for consideration paid by the buyer equal to or less than eight hundred  
119 thousand dollars, not more than one-half of one per cent on the portion  
120 of such consideration that exceeds one hundred fifty thousand dollars,  
121 (2) for consideration paid by the buyer greater than eight hundred  
122 thousand dollars but equal to or less than two million five hundred  
123 thousand dollars, not more than one per cent on the portion of such  
124 consideration that exceeds eight hundred thousand dollars, and (3) for  
125 consideration paid by the buyer greater than two million five hundred  
126 thousand dollars, not more than one and one-half per cent on the  
127 portion of such consideration that exceeds two million five hundred  
128 thousand dollars.

129 (b) (1) The fee established pursuant to subsection (a) of this section  
130 shall be retained by the municipality and maintained in a separate  
131 account.

132 (2) Unless a municipality is a distressed municipality, as defined in  
133 section 32-9 of the general statutes or is listed on the list annually  
134 reported by the Commissioner of Housing under subparagraph (D) of  
135 subdivision (2) of subsection (a) of section 8-37qqq of the general  
136 statutes, the fee established pursuant to subsection (a) of this section  
137 shall only be used for the following purposes: (A) Stewardship, but not  
138 the acquisition, of open space land, including, but not limited to, water  
139 resources, forest land and farmland; (B) funding of a Climate Change  
140 and Coastal Resiliency Reserve Fund, created by the municipality  
141 pursuant to section 7-159d of the general statutes, as amended by this  
142 act, or other municipal climate resilience, mitigation or adaptation  
143 strategies except that any fee established pursuant to subsection (a) of  
144 this section and deposited into a separate account pursuant to this  
145 subsection shall not be transferred to any other account for the  
146 acquisition of land; (C) matching of investments from state programs to  
147 supplement new or existing affordable housing programs funded  
148 pursuant to subdivision (3) of subsection (a) of section 4-66aa of the

149 general statutes; (D) funding of other environmental projects, including,  
150 but not limited to, urban forestry and planting of trees, but not including  
151 acquisition of open space land; and (E) repayment of municipal bonds  
152 obtained for any of the purposes described in subparagraphs (A) to (E),  
153 inclusive, of this subdivision.

154 (c) A distressed municipality, as defined in section 32-9p of the  
155 general statutes, or a targeted investment community, as defined in  
156 section 32-222 of the general statutes, may set aside up to ten per cent of  
157 the fees maintained under subsection (b) of this section for the purpose  
158 of offsetting property tax revenues that are reduced or eliminated as a  
159 result of tax exemptions granted by the municipality for protected open  
160 space land, forest land, farmland or recreational land.

161 (d) Each conveyance resulting in the preservation in perpetuity of  
162 open space land, forest land or farmland shall be exempt from any fee  
163 imposed pursuant to subsection (a) of this section.

164 (e) Any fee imposed pursuant to subsection (a) of this section shall  
165 not apply to any transaction enumerated in subsection (a) of section 12-  
166 498 of the general statutes.

167 Sec. 5. Section 25-84 of the general statutes is repealed and the  
168 following is substituted in lieu thereof (*Effective July 1, 2021*):

169 (a) (1) Any municipality may, by vote of its legislative body, adopt  
170 the provisions of this section and sections 25-85 to 25-94, inclusive, as  
171 amended by this act, and exercise through a flood prevention, climate  
172 resilience and erosion control board the powers granted thereunder. In  
173 each town, except as otherwise provided by special act, the flood  
174 prevention, climate resilience and erosion control board shall consist of  
175 not less than five nor more than seven members, who shall be electors  
176 of such town and whose method of selection and terms of office shall be  
177 determined by local ordinance, except that in towns having a population  
178 of less than fifty thousand the selectmen may be empowered by such  
179 ordinance to act as such flood prevention, climate resilience and erosion

180 control board. In each city or borough, except as otherwise provided by  
181 special act, the board of aldermen, council or other board or authority  
182 having power to adopt ordinances for the government of such city or  
183 borough may act as such flood prevention, climate resilience and  
184 erosion control board. The flood prevention, climate resilience and  
185 erosion control board of any town shall have jurisdiction over that part  
186 of the town outside any city or borough contained therein.

187 (2) Two or more municipalities may, by concurrent votes of their  
188 legislative bodies, enter into an agreement to jointly exercise through a  
189 joint flood prevention, climate resilience and erosion control board the  
190 powers granted under sections 25-85 to 25-94, inclusive, as amended by  
191 this act. The joint flood prevention, climate resilience and erosion  
192 control board shall have jurisdiction over each municipality subject to  
193 such agreement.

194 (b) Any town, city or borough shall have the power to provide by  
195 ordinance for the appointment or election of three alternate members to  
196 its flood prevention, climate resilience and erosion control board. Such  
197 alternate members shall, when seated as herein provided, have all the  
198 powers and duties set forth for such board and its members. Such  
199 alternate members shall be electors of such town, city or borough. If a  
200 regular member of any of said board is absent or is disqualified, the  
201 chairman of the board shall designate an alternate to so act, choosing  
202 alternates in rotation so that they shall act as nearly equal a number of  
203 times as possible. If any alternate is not available in accordance with  
204 such rotation, such fact shall be recorded in the minutes of the meeting.

205 (c) Each flood prevention, climate resilience and erosion control  
206 board shall publish a biannual report on the Internet web site of each  
207 municipality under the jurisdiction of such board. Such report shall  
208 include, but not be limited to, (1) a current inventory and description of  
209 the flood prevention, climate resilience and erosion control system  
210 managed by such board, (2) the extent and value of property,  
211 infrastructure and natural resources protected by such system, (3) an  
212 analysis of the manner in which vulnerable communities, as defined in

213 subsection (a) of section 16-243y, are prioritized and protected by such  
214 system, and (4) the revenues and expenditures of such board.

215 Sec. 6. Section 25-85 of the general statutes is repealed and the  
216 following is substituted in lieu thereof (*Effective July 1, 2021*):

217 (a) Such board shall have authority, within the limits of  
218 appropriations from time to time made by the municipality or  
219 municipalities, as applicable, to plan, lay out, acquire, construct,  
220 reconstruct, repair, maintain, supervise, operate and manage a flood [or]  
221 prevention, climate resilience and erosion control system. As used in  
222 sections 25-84 to 25-94, inclusive, as amended by this act, ["flood or  
223 erosion control system"] "flood prevention, climate resilience and  
224 erosion control system" means any dike, berm, dam, piping, groin, jetty,  
225 sea wall, embankment, revetment, tide-gate, water storage area, ditch,  
226 drain or other structure or facility, and any nonstructural and nature-  
227 based measure, including, but not limited to, removal, relocation or  
228 modification of existing structures, restoration and maintenance of open  
229 floodplain or other water storage area and any feasible, less  
230 environmentally damaging alternative, as defined in section 22a-92, that  
231 is useful in preventing or ameliorating damage from floods or erosion,  
232 whether caused by fresh or salt water, [or] any dam forming a lake or  
233 pond that benefits abutting properties or any open space reserved for  
234 future accommodation or establishment of wetlands or watercourses,  
235 and shall include any easements, rights-of-way and riparian rights  
236 which may be required in furtherance of any such system.

237 (b) In planning for and conducting its activities, such board (1) shall  
238 consider all applicable regional and municipal hazard mitigation plans,  
239 resilience plans and identifications of vulnerable communities, as  
240 defined in subsection (a) of section 16-243y, as well as all applicable  
241 municipal plans of conservation and development adopted pursuant to  
242 section 8-23, and (2) may consult with the Connecticut Institute for  
243 Resilience and Climate Adaptation.

244 Sec. 7. Section 25-86 of the general statutes is repealed and the



245 following is substituted in lieu thereof (*Effective July 1, 2021*):

246 Such board is authorized to enter upon and to take and hold, by  
247 purchase, condemnation or otherwise, any real property or interest  
248 therein which it determines is necessary for use in connection with the  
249 flood [or] prevention, climate resilience and erosion control system.  
250 Whenever the board is unable to agree with the owner of any such  
251 property as to the compensation to be paid for the taking thereof, the  
252 board, in the name of the municipality, may bring condemnation  
253 proceedings in accordance with the procedure provided by part I of  
254 chapter 835 for condemnation by municipal corporations generally. In  
255 such case, the court or judge may permit immediate possession of such  
256 property by the board in accordance with the procedure provided by  
257 said chapter.

258 Sec. 8. Section 25-87 of the general statutes is repealed and the  
259 following is substituted in lieu thereof (*Effective July 1, 2021*):

260 At any time after voting to acquire, construct, [or] reconstruct,  
261 operate or maintain any flood [or] prevention, climate resilience and  
262 erosion control system or portion thereof, the board in its discretion may  
263 elect to defray the cost thereof by issuing bonds or other evidences of  
264 debt, [or] from general taxation, special assessment, federal, state or  
265 private grant funds or any combination thereof or by drawing upon a  
266 municipal Climate Change and Coastal Resiliency Reserve Fund created  
267 pursuant to section 7-159d, as amended by this act. If it elects to defray  
268 any part of such cost from special assessment, it may apportion and  
269 assess such part upon the lands and buildings in the municipality  
270 which, in its judgment, are especially benefited thereby, whether they  
271 abut on such flood [or] prevention, climate resilience and erosion  
272 control system or not, and upon the owners of such lands and buildings,  
273 subject to the right of appeal as hereinafter provided. Such assessment  
274 may include a proportionate share of any expenses incidental to the  
275 completion of such flood [or] prevention, climate resilience and erosion  
276 control system, such as fees and expenses of attorneys, engineers,  
277 surveyors, superintendents or inspectors, the cost of any property

278 purchased or acquired for such work, interest on securities, the cost of  
279 preparing maps, plans and specifications, the cost to reconstruct, repair,  
280 maintain, supervise, operate and manage such system and the cost of  
281 printing, publishing or serving advertisements or notices incidental  
282 thereto. The board may divide the total territory to be benefited by any  
283 flood [or] prevention, climate resilience and erosion control system into  
284 sections and may levy assessments against the property benefited in  
285 each section separately. In assessing benefits against the property in any  
286 section, the board may add to the cost of the part of the flood [or]  
287 prevention, climate resilience and erosion control system located in such  
288 section a proportionate share of the cost of any part of such system  
289 located outside the section which is useful for the operation or  
290 effectiveness of that part of such system within the section and of any of  
291 the other items of cost or expense above enumerated.

292 Sec. 9. Section 25-92 of the general statutes is repealed and the  
293 following is substituted in lieu thereof (*Effective July 1, 2021*):

294 The proceeds of such assessments, whether or not pledged for the  
295 payment of securities, shall be segregated from other funds of the  
296 municipality and shall be used only to pay for the construction, [or]  
297 reconstruction, repair, maintenance, supervision, operation or  
298 management of the flood [or] prevention, climate resilience and erosion  
299 control system or particular portion thereof in respect to which such  
300 assessments are made or, as the case may be, for the payment of the  
301 interest on or principal of any securities issued to pay for such system  
302 or particular portion thereof.

303 Sec. 10. Section 25-94 of the general statutes is repealed and the  
304 following is substituted in lieu thereof (*Effective July 1, 2021*):

305 Any flood prevention, climate resilience and erosion control board  
306 established under section 25-84, any such board or commission  
307 established by special act or any district having as one of its powers and  
308 purposes the right to construct or maintain a flood prevention, climate  
309 resilience and erosion control system under chapter 105, acting through

310 its officers, is authorized to negotiate, cooperate and enter into  
311 agreements with (1) the United States, (2) the United States and the state  
312 of Connecticut, [or] (3) the state of Connecticut, or (4) one or more  
313 municipalities in the state of Connecticut, in order to satisfy the  
314 conditions imposed by the United States or the state of Connecticut in  
315 authorizing any system for the improvement of navigation of any  
316 harbor or river and for [protection of property against damage by floods  
317 or by erosion] constructing, reconstructing, operating or maintaining  
318 any flood prevention, climate resilience and erosion control system,  
319 provided such system shall have been approved by the Commissioner  
320 of Energy and Environmental Protection.

321 Sec. 11. Section 25-95 of the general statutes is repealed and the  
322 following is substituted in lieu thereof (*Effective July 1, 2021*):

323 The state, acting through the Commissioner of Energy and  
324 Environmental Protection, may enter into agreements with such local  
325 authority authorized to contract under section 25-94, as amended by this  
326 act, for the purpose of constructing projects or systems to prevent,  
327 correct and arrest [erosion and] flood damage and impacts of climate  
328 change within the boundaries of the state. The plans, specifications,  
329 system and construction shall be under the direct control and  
330 supervision of the commissioner. The contract shall describe (1) the  
331 nature and extent of the system, (2) the amount of the cost to the state,  
332 (3) the share to be paid by the district or board, and (4) the method of  
333 financing the payment by such local authority, all of which shall be  
334 subject to the approval of the commissioner.

335 Sec. 12. Section 25-97 of the general statutes is repealed and the  
336 following is substituted in lieu thereof (*Effective July 1, 2021*):

337 When any such improvement or protection project or system is  
338 located within two or more municipalities, such municipalities, acting  
339 by their individual or joint flood prevention, climate resilience and  
340 erosion control boards, as applicable, are authorized to undertake  
341 jointly any such action as is authorized by sections 25-94 and 25-95, as

342 amended by this act, and the cost to each board shall be determined by  
343 [the Commissioner of Energy and Environmental Protection] mutual  
344 agreement of the municipalities involved.

345 Sec. 13. Section 25-98 of the general statutes is repealed and the  
346 following is substituted in lieu thereof (*Effective July 1, 2021*):

347 In carrying out the purposes for which it was established, any local  
348 authority authorized to contract under section 25-94, as amended by this  
349 act, may (1) accept, receive and expend gifts, devises or bequests of  
350 money, lands or other properties to be applied and expended in the  
351 manner provided herein, and (2) apply for and receive grants from state,  
352 federal and private sources.

353 Sec. 14. Section 7-326 of the general statutes is repealed and the  
354 following is substituted in lieu thereof (*Effective July 1, 2021*):

355 At such meeting, the voters may establish a district for any or all of  
356 the following purposes: To extinguish fires, to light streets, to plant and  
357 care for shade and ornamental trees, to construct and maintain roads,  
358 sidewalks, crosswalks, drains and sewers, to appoint and employ  
359 watchmen or police officers, to acquire, construct, maintain and regulate  
360 the use of recreational facilities, to plan, lay out, acquire, construct,  
361 reconstruct, repair, maintain, supervise and manage a flood [or]  
362 prevention, climate resilience and erosion control system, to plan, lay  
363 out, acquire, construct, maintain, operate and regulate the use of a  
364 community water system, to collect garbage, ashes and all other refuse  
365 matter in any portion of such district and provide for the disposal of  
366 such matter, to implement tick control measures, to install highway  
367 sound barriers, to maintain water quality in lakes that are located solely  
368 in one town in this state, to establish a zoning commission and a zoning  
369 board of appeals or a planning commission, or both, by adoption of  
370 chapter 124 or chapter 126, excluding section 8-29, or both chapters, as  
371 the case may be, which commissions or board shall be dissolved upon  
372 adoption by the town of subdivision or zoning regulations by the town  
373 planning or zoning commission, to adopt building regulations, which

374 regulations shall be superseded upon adoption by the town of building  
375 regulations, and to provide ferry service. Any district may contract with  
376 a town, city, borough or other district for carrying out any of the  
377 purposes for which such district was established.

378 Sec. 15. Subsection (a) of section 7-328 of the general statutes is  
379 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
380 *2021*):

381 (a) The territorial limits of the district shall constitute a separate  
382 taxing district, and the assessor or assessors of the town shall separate  
383 the property within the district from the other property in the town and  
384 shall annually furnish the clerk of the district with a copy of the grand  
385 list of all property in the district after it has been completed by the board  
386 of assessment appeals of the town. If the legislative body of the town  
387 elects, pursuant to section 12-62c, to defer all or any part of the amount  
388 of the increase in the assessed value of real property in the year a  
389 revaluation becomes effective and in any succeeding year in which such  
390 deferment is allowed, the grand list furnished to the clerk of the district  
391 for each such year shall reflect assessments based upon such deferment.  
392 When the district meeting has fixed the tax rate, the clerk shall prepare  
393 a rate bill, apportioning to each owner of property his proportionate  
394 share of the taxes, which rate bill, when prepared, shall be delivered to  
395 the treasurer; and the district and the treasurer thereof shall have the  
396 same powers as towns and collectors of taxes to collect and enforce  
397 payment of such taxes, and such taxes when laid shall be a lien upon the  
398 property in the same manner as town taxes, and such liens may be  
399 continued by certificates recorded in the land record office of the town,  
400 and foreclosed in the same manner as liens for town taxes or enforced  
401 in accordance with any provision of the general statutes for the  
402 collection of property taxes. The assessor or board of assessment appeals  
403 shall promptly forward to the clerk of the district any certificate of  
404 correction or notice of any other lawful change to the grand list of the  
405 district. The district clerk shall, within ten days of receipt of any such  
406 certificate or notice, forward a copy thereof to the treasurer, and the

407 assessment of the property for which such certificate or notice was  
408 issued and the rate bill related thereto shall be corrected accordingly. If  
409 the district constructs any drain, sewer, sidewalk, curb or gutter, such  
410 proportion of the cost thereof as such district determines may be  
411 assessed by the board of directors, in the manner prescribed by such  
412 district, upon the property specially benefited by such drain, sewer,  
413 sidewalk, curb or gutter, and the balance of such costs shall be paid from  
414 the general funds of the district. In the construction of any flood [or]  
415 prevention, climate resilience and erosion control system, the cost to  
416 such district may be assessed and shall be payable in accordance with  
417 sections 25-87 to 25-93, inclusive, as amended by this act. The cost for  
418 the maintenance of water quality in a lake shall be assessed on the land  
419 in a district and payment shall be apportioned equally among the  
420 owners of parcels of property. Subject to the provisions of the general  
421 statutes, the district may issue bonds and the board of directors may  
422 pledge the credit of the district for any money borrowed for the  
423 construction of any public works or the acquisition of recreational  
424 facilities authorized by sections 7-324 to 7-329, inclusive, and such board  
425 shall keep a record of all notes, bonds and certificates of indebtedness  
426 issued, disposed of or pledged by the district. All moneys received by  
427 the directors on behalf of the district shall be paid to the treasurer. No  
428 contract or obligation which involves an expenditure in the amount of  
429 (1) ten thousand dollars or more in districts where the grand list is less  
430 than or equal to twenty million dollars, or (2) twenty thousand dollars  
431 or more in districts where the grand list is greater than twenty million  
432 dollars, in any one year shall be made by the board of directors, unless  
433 the same is specially authorized by a vote of the district, nor shall the  
434 directors borrow money without like authority. The clerk of the district  
435 shall give written notice to the treasurer of the town in which the district  
436 is located of any final decision of the board of directors to borrow  
437 money, not later than thirty days after the date of such decision. The  
438 district may adopt ordinances, with penalties to secure their  
439 enforcement, for the purpose of regulating the carrying out of the  
440 provisions of sections 7-324 to 7-329, inclusive, and defining the duties  
441 and compensation of its officers and the manner in which their duties

442 shall be carried out.

443 Sec. 16. Section 22a-113p of the general statutes is repealed and the  
444 following is substituted in lieu thereof (*Effective July 1, 2021*):

445 The commission may review and make recommendations, consistent  
446 with the plan, on any proposal affecting the real property on, in or  
447 contiguous to the harbor that is received by any zoning commission,  
448 planning commission or combined planning and zoning commission,  
449 zoning board of appeals, historic district commissions, flood  
450 prevention, climate resilience and erosion control board, harbor  
451 improvement agency, port authority, redevelopment agency, shellfish  
452 commission, sewer commission, water pollution control authority or  
453 special district with zoning or other land use authority. Such agencies  
454 shall send a copy of any such proposal to the commission upon the  
455 request of such commission. The commission shall be notified of any  
456 such proposal at least thirty-five days prior to the commencement of the  
457 hearing thereon or where no hearing is held, at least thirty-five days  
458 prior to the taking of any final action on the proposal. The local agency  
459 authorized to act on the proposal shall consider the recommendations  
460 of the commission. A two-thirds vote of all the members of the local  
461 agency having authority to act on the proposal shall be required to  
462 approve a proposal which has not received a favorable recommendation  
463 from the commission, provided that the provisions of this section shall  
464 not be deemed to alter the authority of the agency having primary  
465 jurisdiction over the proposal to deny, modify or condition the proposal.  
466 Failure of the commission to submit a recommendation shall be deemed  
467 to be approval of the proposal.

468 Sec. 17. Subdivision (2) of subsection (e) of section 22a-361 of the  
469 general statutes is repealed and the following is substituted in lieu  
470 thereof (*Effective July 1, 2021*):

471 (2) The commissioner may require that any person, firm or  
472 corporation, public, municipal or private, who removes sand, gravel or  
473 other material lying waterward of the mean high water mark of the

474 tidal, coastal or navigable waters shall make available such sand, gravel  
475 or other material of appropriate grain size and composition to any  
476 coastal municipality or to any district established pursuant to chapter  
477 105 or by special act to plan, lay out, acquire, construct, reconstruct,  
478 repair, maintain, supervise and manage a flood [or] prevention, climate  
479 resilience and erosion control system. Such sand, gravel or other  
480 material shall be offered for the purposes of an appropriately authorized  
481 beach nourishment or habitat restoration project and shall be available  
482 (A) to municipalities for the cost of transporting such sand, gravel or  
483 other material, and (B) to districts for a reasonable fee.

484 Sec. 18. Section 25-76 of the general statutes is repealed and the  
485 following is substituted in lieu thereof (*Effective July 1, 2021*):

486 The Commissioner of Energy and Environmental Protection is  
487 authorized to negotiate, cooperate and enter into agreements with the  
488 federal government and with any municipality through its flood  
489 prevention, climate resilience and erosion control board for the purpose  
490 of constructing small flood control systems or tidal and hurricane  
491 protection and navigation projects including dams, dikes, flood walls,  
492 reservoirs, river channel improvements and such other works as are  
493 necessary to reduce or prevent damages due to floods, including  
494 projects constructed under the provisions of Title 33, Chapter 15, Section  
495 701s, of the United States Code, as amended. The commissioner is  
496 authorized to use nonstructural measures of flood control, including but  
497 not limited to, acquisition of real property which the commissioner  
498 determines is reasonably necessary for use in connection with such  
499 systems or projects, by purchase, lease or gift or by condemnation in the  
500 manner provided by part I of chapter 835. The commissioner is  
501 authorized to give assurances to the federal government that the state  
502 will hold and save the United States free from damages due to the  
503 construction works and that the state will pay cash contributions as may  
504 be required as a local contribution for any flood control system or  
505 project undertaken by the federal government or by the state, subject to  
506 reimbursement as provided in sections 25-71 and 25-72, except that, for



507 tidal and hurricane protection and navigation projects, such  
508 reimbursement shall be not less than fifty per cent.

509 Sec. 19. Subsection (c) of section 7-159d of the general statutes is  
510 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
511 *2021*):

512 (c) The budget-making authority of such municipality may, from time  
513 to time, direct the treasurer to invest a portion of such Climate Change  
514 and Coastal Resiliency Reserve Fund as in the opinion of such authority  
515 is advisable, provided: (1) Not more than forty per cent, or with respect  
516 to such a reserve fund for which the budget-making authority has  
517 adopted an asset allocation and investment policy, fifty per cent, of the  
518 total amount of such reserve fund shall be invested in equity securities,  
519 and (2) any portion of such reserve fund not invested pursuant to  
520 subdivision (1) of this subsection may be invested in: (A) Bonds or  
521 obligations of, or guaranteed by, the state or the United States, or  
522 agencies or instrumentalities of the United States, (B) certificates of  
523 deposit, commercial paper, savings accounts and bank acceptances, (C)  
524 the obligations of any state of the United States or any political  
525 subdivision thereof or the obligations of any instrumentality, authority  
526 or agency of any state or political subdivision thereof, if, at the time of  
527 investment, such obligations are rated in the top rating categories of any  
528 nationally recognized rating service or of any rating service recognized  
529 by the Banking Commissioner, and applicable to such obligations, (D)  
530 the obligations of any regional school district in this state, of any  
531 municipality in this state or any metropolitan district in this state, if, at  
532 the time of investment, such obligations of such government entity are  
533 rated in one of the top two rating categories of any nationally recognized  
534 rating service or of any rating service recognized by the Banking  
535 Commissioner, and applicable to such obligations, (E) in any fund in  
536 which a trustee may invest pursuant to section 36a-353, (F) investment  
537 agreements with financial institutions whose long-term obligations are  
538 rated in the top two rating categories of any nationally recognized rating  
539 service or of any rating service recognized by the Banking

540 Commissioner or whose short-term obligations are rated in the top  
541 rating category of any nationally recognized rating service or of any  
542 rating service recognized by the Banking Commissioner, or (G)  
543 investment agreements fully secured by obligations of, or guaranteed  
544 by, the United States or agencies or instrumentalities of the United  
545 States.

546 Sec. 20. Subsections (a) to (d), inclusive, of section 16-245n of the  
547 general statutes are repealed and the following is substituted in lieu  
548 thereof (*Effective July 1, 2021*):

549 (a) For purposes of this section: [, "clean energy"]

550 (1) "Carbon offsets" means any activity that compensates for the  
551 emission of carbon dioxide or other greenhouse gases by providing for  
552 an emission reduction elsewhere;

553 (2) "Clean energy" means solar photovoltaic energy, solar thermal,  
554 geothermal energy, wind, ocean thermal energy, wave or tidal energy,  
555 fuel cells, landfill gas, hydropower that meets the low-impact standards  
556 of the Low-Impact Hydropower Institute, hydrogen production and  
557 hydrogen conversion technologies, low emission advanced biomass  
558 conversion technologies, alternative fuels, used for electricity  
559 generation including ethanol, biodiesel or other fuel produced in  
560 Connecticut and derived from agricultural produce, food waste or  
561 waste vegetable oil, provided the Commissioner of Energy and  
562 Environmental Protection determines that such fuels provide net  
563 reductions in greenhouse gas emissions and fossil fuel consumption,  
564 usable electricity from combined heat and power systems with waste  
565 heat recovery systems, thermal storage systems, other energy resources  
566 and emerging technologies which have significant potential for  
567 commercialization and which do not involve the combustion of coal,  
568 petroleum or petroleum products, municipal solid waste or nuclear  
569 fission, financing of energy efficiency projects, projects that seek to  
570 deploy electric, electric hybrid, natural gas or alternative fuel vehicles  
571 and associated infrastructure, any related storage, distribution,

572 manufacturing technologies or facilities and any Class I renewable  
573 energy source, as defined in section 16-1;

574 (3) "Ecosystem services" means benefits obtained from ecosystems,  
575 including, but not limited to, (A) provisioning services such as food and  
576 water, (B) regulating services such as regulation of floods, drought, land  
577 degradation and disease, and (C) supporting services such as soil  
578 formation and nutrient cycling; and

579 (4) "Environmental infrastructure" means structures, facilities,  
580 systems, services and improvement projects related to (A) water, (B)  
581 waste and recycling, (C) climate adaptation and resiliency, (D)  
582 agriculture, (E) land conservation, (F) parks and recreation, and (G)  
583 environmental markets, including, but not limited to, carbon offsets and  
584 ecosystem services.

585 (b) On and after July 1, 2004, the Public Utilities Regulatory Authority  
586 shall assess or cause to be assessed a charge of not less than one mill per  
587 kilowatt hour charged to each end use customer of electric services in  
588 this state which shall be deposited into the Clean Energy Fund  
589 established under subsection (c) of this section.

590 (c) (1) There is hereby created a Clean Energy Fund which shall be  
591 within the Connecticut Green Bank. The fund may receive any amount  
592 required by law to be deposited into the fund and may receive any  
593 federal funds as may become available to the state for clean energy  
594 investments. Upon authorization of the Connecticut Green Bank  
595 established pursuant to subsection (d) of this section, any amount in said  
596 fund may be used for expenditures that promote investment in clean  
597 energy in accordance with a comprehensive plan developed by it to  
598 foster the growth, development and commercialization of clean energy  
599 sources, related enterprises and stimulate demand for clean energy and  
600 deployment of clean energy sources that serve end use customers in this  
601 state and for the further purpose of supporting operational  
602 demonstration projects for advanced technologies that reduce energy  
603 use from traditional sources. Such expenditures may include, but not be

604 limited to, providing low-cost financing and credit enhancement  
605 mechanisms for clean energy projects and technologies, reimbursement  
606 of the operating expenses, including administrative expenses incurred  
607 by the Connecticut Green Bank [and Connecticut Innovations,  
608 Incorporated,] and capital costs incurred by the Connecticut Green Bank  
609 in connection with the operation of the fund, the implementation of the  
610 plan developed pursuant to subsection (d) of this section or the other  
611 permitted activities of the Connecticut Green Bank, disbursements from  
612 the fund to develop and carry out the plan developed pursuant to  
613 subsection (d) of this section, grants, direct or equity investments,  
614 contracts or other actions which support research, development,  
615 manufacture, commercialization, deployment and installation of clean  
616 energy technologies, and actions which expand the expertise of  
617 individuals, businesses and lending institutions with regard to clean  
618 energy technologies.

619 (2) (A) There is hereby created an Environmental Infrastructure Fund  
620 which shall be within the Connecticut Green Bank. The fund may  
621 receive any amount required by law to be deposited into the fund and  
622 may receive any federal funds as may become available to the state for  
623 environmental infrastructure investments, except that the fund shall not  
624 receive: (i) Ratepayer or Regional Greenhouse Gas Initiative funds, (ii)  
625 funds that have been deposited in, or are required to be deposited in, an  
626 account of the Clean Water Fund pursuant to sections 22a-475 to 22a-  
627 438f, inclusive, or (iii) funds collected from a water company, as defined  
628 in section 25-32a.

629 (B) Upon authorization of the Connecticut Green Bank established  
630 pursuant to subsection (d) of this section, any amount in said fund may  
631 be used for expenditures that promote investment in environmental  
632 infrastructure in accordance with a comprehensive plan developed by it  
633 to foster the growth, development, commercialization and, where  
634 applicable, preservation of environmental infrastructure and related  
635 enterprises, except any project or purpose eligible for funding pursuant  
636 to sections 22a-475 to 22a-483f, inclusive. Such expenditures may

637 include, but not be limited to, providing low-cost financing and credit  
638 enhancement mechanisms for projects and technologies,  
639 reimbursement of the operating expenses, including administrative  
640 expenses incurred by the Connecticut Green Bank, and capital costs  
641 incurred by the Connecticut Green Bank in connection with the  
642 operation of the fund, the implementation of the plan developed  
643 pursuant to subsection (d) of this section or the other permitted activities  
644 of the Connecticut Green Bank, disbursements from the fund to develop  
645 and carry out the plan developed pursuant to subsection (d) of this  
646 section, grants, direct or equity investments, contracts or other actions  
647 which support research, development, manufacture,  
648 commercialization, deployment and installation of environmental  
649 infrastructure and actions which expand the expertise of individuals,  
650 businesses and lending institutions with regard to environmental  
651 infrastructure.

652 (d) (1) (A) The Connecticut Green Bank is hereby established and  
653 created as a body politic and corporate, constituting a public  
654 instrumentality and political subdivision of the state of Connecticut  
655 established and created for the performance of an essential public and  
656 governmental function. The Connecticut Green Bank shall not be  
657 construed to be a department, institution or agency of the state.

658 (B) The Connecticut Green Bank shall (i) develop separate programs  
659 to finance and otherwise support clean energy and environmental  
660 infrastructure investment in residential, municipal, small business and  
661 larger commercial projects and such others as the Connecticut Green  
662 Bank may determine; (ii) support financing or other expenditures that  
663 promote investment in clean energy sources and environmental  
664 infrastructure in accordance with a comprehensive plan developed by it  
665 to foster the growth, development and commercialization of clean  
666 energy sources, environmental infrastructure and related enterprises;  
667 and (iii) stimulate demand for clean energy and the deployment of clean  
668 energy sources within the state that serve end use customers in the state.

669 (C) The Clean Energy Finance and Investment Authority shall

670 constitute a successor agency to Connecticut Innovations, Incorporated,  
671 for the purposes of administering the Clean Energy Fund in accordance  
672 with section 4-38d. The Connecticut Green Bank shall constitute a  
673 successor agency to the Clean Energy Finance and Investment Authority  
674 for purposes of administering the Clean Energy Fund in accordance  
675 with section 4-38d. The Connecticut Green Bank shall have all the  
676 privileges, immunities, tax exemptions and other exemptions of  
677 Connecticut Innovations, Incorporated, with respect to said fund. The  
678 Connecticut Green Bank shall administer the Environmental  
679 Infrastructure Fund. The Connecticut Green Bank shall be subject to suit  
680 and liability solely from the assets, revenues and resources of said bank  
681 and without recourse to the general funds, revenues, resources or other  
682 assets of Connecticut Innovations, Incorporated. The Connecticut Green  
683 Bank may provide financial assistance in the form of grants, loans, loan  
684 guarantees or debt and equity investments, as approved in accordance  
685 with written procedures adopted pursuant to section 1-121. The  
686 Connecticut Green Bank may assume or take title to any real property,  
687 convey or dispose of its assets and pledge its revenues to secure any  
688 borrowing, convey or dispose of its assets and pledge its revenues to  
689 secure any borrowing, for the purpose of developing, acquiring,  
690 constructing, refinancing, rehabilitating or improving its assets or  
691 supporting its programs, provided each such borrowing or mortgage,  
692 unless otherwise provided by the board or said bank, shall be a special  
693 obligation of said bank, which obligation may be in the form of bonds,  
694 bond anticipation notes or other obligations which evidence an  
695 indebtedness to the extent permitted under this chapter to fund,  
696 refinance and refund the same and provide for the rights of holders  
697 thereof, and to secure the same by pledge of revenues, notes and  
698 mortgages of others, and which shall be payable solely from the assets,  
699 revenues and other resources of said bank and such bonds may be  
700 secured by a special capital reserve fund contributed to by the state,  
701 provided that any bond secured by such special capital reserve fund  
702 shall have a maturity not exceeding twenty-five years. The Connecticut  
703 Green Bank shall have the purposes as provided by resolution of said  
704 bank's board of directors, which purposes shall be consistent with this

705 section. No further action is required for the establishment of the  
706 Connecticut Green Bank, except the adoption of a resolution for said  
707 bank.

708 (D) In addition to, and not in limitation of, any other power of the  
709 Connecticut Green Bank set forth in this section or any other provision  
710 of the general statutes, said bank shall have and may exercise the  
711 following powers in furtherance of or in carrying out its purposes:

712 (i) To have perpetual succession as a body corporate and to adopt  
713 bylaws, policies and procedures for the regulation of its affairs and the  
714 conduct of its business;

715 (ii) To make and enter into all contracts and agreements that are  
716 necessary or incidental to the conduct of its business;

717 (iii) To invest in, acquire, lease, purchase, own, manage, hold, sell and  
718 dispose of real or personal property or any interest therein;

719 (iv) To borrow money or guarantee a return to investors or lenders;

720 (v) To hold patents, copyrights, trademarks, marketing rights,  
721 licenses or other rights in intellectual property;

722 (vi) To employ such assistants, agents and employees as may be  
723 necessary or desirable, who shall be exempt from the classified service  
724 and shall not be employees, as defined in subsection (b) of section 5-270;  
725 establish all necessary or appropriate personnel practices and policies,  
726 including those relating to hiring, promotion, compensation and  
727 retirement, and said bank shall not be an employer, as defined in  
728 subsection (a) of section 5-270; and engage consultants, attorneys,  
729 financial advisers, appraisers and other professional advisers as may be  
730 necessary or desirable;

731 (vii) To invest any funds not needed for immediate use or  
732 disbursement pursuant to investment policies adopted by said bank's  
733 board of directors;

734 (viii) To procure insurance against any loss or liability with respect to  
735 its property or business of such types, in such amounts and from such  
736 insurers as it deems desirable;

737 (ix) To enter into joint ventures and invest in, and participate with  
738 any person, including, without limitation, government entities and  
739 private corporations, in the formation, ownership, management and  
740 operation of business entities, including stock and nonstock  
741 corporations, limited liability companies and general or limited  
742 partnerships, formed to advance the purposes of said bank, provided  
743 members of the board of directors or officers or employees of said bank  
744 may serve as directors, members or officers of any such business entity,  
745 and such service shall be deemed to be in the discharge of the duties or  
746 within the scope of the employment of any such director, officer or  
747 employee, as the case may be, so long as such director, officer or  
748 employee does not receive any compensation or financial benefit as a  
749 result of serving in such role;

750 (x) To enter into a memorandum of understanding or other  
751 arrangements with Connecticut Innovations, Incorporated, with respect  
752 to the provision or sharing of space, office systems or staff  
753 administrative support, on such terms as may be agreed to between said  
754 bank and Connecticut Innovations, Incorporated; and

755 (xi) To do all other acts and things necessary or convenient to carry  
756 out the purposes of said bank.

757 (E) (i) The Connecticut Green Bank may form one or more  
758 subsidiaries to carry out the purposes of said bank, as described in  
759 subparagraph (B) of subdivision (1) of this subsection, and may transfer  
760 to any such subsidiary any moneys and real or personal property of any  
761 kind or nature. Any subsidiary may be organized as a stock or nonstock  
762 corporation or a limited liability company. Each such subsidiary shall  
763 have and may exercise such powers of said bank, as set forth in the  
764 resolution of the board of directors of said bank prescribing the  
765 purposes for which such subsidiary is formed, and such other powers



766 provided to it by law.

767 (ii) No such subsidiary of said bank shall be deemed a quasi-public  
768 agency for purposes of chapter 12. [and no such subsidiary shall] No  
769 such subsidiary of said bank shall have all the privileges, immunities,  
770 tax exemptions and other exemptions of said bank, unless such  
771 subsidiary is a single member limited liability company that is  
772 disregarded as an entity separate from its owner. In no event shall any  
773 such subsidiary have the power to hire or otherwise retain employees.  
774 The governing documents of any such subsidiary shall provide for the  
775 dissolution of such subsidiary upon the completion of the purpose for  
776 which such subsidiary was formed. Each such subsidiary may sue and  
777 shall be subject to suit, provided its liability shall be limited solely to the  
778 assets, revenues and resources of the subsidiary and without recourse  
779 to the general funds, revenues, resources or any other assets of said  
780 bank. Each such subsidiary is authorized to assume or take title to  
781 property subject to any existing lien, encumbrance or mortgage and to  
782 mortgage, convey or dispose of its assets and pledge its revenues to  
783 secure any borrowing, provided each such borrowing or mortgage shall  
784 be a special obligation of the subsidiary, which obligation may be in the  
785 form of bonds, bond anticipation notes and other obligations, to fund  
786 and refund the same and provide for the rights of the holders thereof,  
787 and to secure the same by a pledge of revenues, notes and other assets  
788 and which shall be payable solely from the revenues, assets and other  
789 resources of the subsidiary. The Connecticut Green Bank may assign to  
790 a subsidiary any rights, moneys or other assets it has under any  
791 governmental program. No subsidiary of said bank shall borrow  
792 without the approval of the board of directors of said bank.

793 (iii) Each such subsidiary shall act through its board of directors or  
794 managing members, at least one-half of which shall be members of the  
795 board of directors of said bank or their designees or officers or  
796 employees of said bank.

797 (iv) The provisions of section 1-125 and this subsection shall apply to  
798 any officer, director, designee or employee appointed as a member,

799 director or officer of any such subsidiary. Any such person so appointed  
800 shall not be personally liable for the debts, obligations or liabilities of  
801 any such subsidiary as provided in section 1-125. The subsidiary shall,  
802 and said bank may, save harmless and indemnify such officer, director,  
803 designee or employee as provided by section 1-125.

804 (v) The Connecticut Green Bank, or such subsidiary, may take such  
805 actions as are necessary to comply with the provisions of the Internal  
806 Revenue Code of 1986, or any subsequent corresponding internal  
807 revenue code of the United States, as amended from time to time, to  
808 qualify and maintain any such subsidiary as a corporation exempt from  
809 taxation under said code.

810 (vi) The Connecticut Green Bank may make loans to each such  
811 subsidiary from its assets and the proceeds of its bonds, notes and other  
812 obligations, provided the source and security for the repayment of such  
813 loans is derived from the assets, revenues and resources of the  
814 subsidiary.

815 (2) (A) The Connecticut Green Bank may seek to qualify as a  
816 Community Development Financial Institution under Section 4702 of  
817 the United States Code. If approved as a Community Development  
818 Financial Institution, said bank would be treated as a qualified  
819 community development entity for purposes of Section 45D and Section  
820 1400N(m) of the Internal Revenue Code.

821 (B) Before making any loan, loan guarantee, or such other form of  
822 financing support or risk management for a clean energy or  
823 environmental infrastructure project, the Connecticut Green Bank shall  
824 develop standards to govern the administration of said bank through  
825 rules, policies and procedures that specify borrower eligibility, terms  
826 and conditions of support, and other relevant criteria, standards or  
827 procedures.

828 (C) Funding sources specifically authorized include, but are not  
829 limited to:

830 (i) Funds repurposed from existing programs providing financing  
831 support for clean energy projects, provided any transfer of funds from  
832 such existing programs shall be subject to approval by the General  
833 Assembly and shall be used for expenses of financing, grants and loans;

834 (ii) Any federal funds that can be used for the purposes specified in  
835 subsection (c) of this section, provided such funds are not required to be  
836 deposited in the accounts of the Clean Water Fund pursuant to sections  
837 22a-475 to 22a-483f, inclusive;

838 (iii) Charitable gifts, grants, contributions as well as loans from  
839 individuals, corporations, university endowments and philanthropic  
840 foundations;

841 (iv) Earnings and interest derived from financing support activities  
842 for clean energy and environmental infrastructure projects backed by  
843 the Connecticut Green Bank;

844 (v) If and to the extent that the Connecticut Green Bank qualifies as a  
845 Community Development Financial Institution under Section 4702 of  
846 the United States Code, funding from the Community Development  
847 Financial Institution Fund administered by the United States  
848 Department of Treasury, as well as loans from and investments by  
849 depository institutions seeking to comply with their obligations under  
850 the United States Community Reinvestment Act of 1977; and

851 (vi) The Connecticut Green Bank may enter into contracts with  
852 private sources to raise capital. The average rate of return on such debt  
853 or equity shall be set by the board of directors of said bank.

854 (D) The Connecticut Green Bank may provide financing support  
855 under this subsection if said bank determines that the amount to be  
856 financed by said bank and other nonequity financing sources do not  
857 exceed [eighty] one hundred per cent of the cost to develop and deploy  
858 a clean energy project or [up to one hundred per cent of the cost of  
859 financing an energy efficiency] an environmental infrastructure project.

860 (E) The Connecticut Green Bank may assess reasonable fees on its  
861 financing activities to cover its reasonable costs and expenses, as  
862 determined by the board.

863 (F) The Connecticut Green Bank shall make information regarding  
864 the rates, terms and conditions for all of its financing support  
865 transactions available to the public for inspection, including formal  
866 annual reviews by both a private auditor conducted pursuant to  
867 subdivision (2) of subsection (f) of this section and the Comptroller, and  
868 providing details to the public on the Internet, provided public  
869 disclosure shall be restricted for patentable ideas, trade secrets,  
870 proprietary or confidential commercial or financial information,  
871 disclosure of which may cause commercial harm to a nongovernmental  
872 recipient of such financing support and for other information exempt  
873 from public records disclosure pursuant to section 1-210.

874 (G) The Connecticut Green Bank shall not apply, directly or through  
875 a subsidiary, to be eligible for grants under (i) the Clean Water Act, 33  
876 USC 1251 et seq., as amended from time to time, without the approval  
877 of the State Treasurer and the Commissioner of Energy and  
878 Environmental Protection, or (ii) the Safe Drinking Water Act, 42 USC  
879 300f et seq., as amended from time to time, without the approval of the  
880 State Treasurer and the Commissioner of Public Health.

881 (3) No director, officer, employee or agent of the Connecticut Green  
882 Bank, while acting within the scope of his or her authority, shall be  
883 subject to any personal liability resulting from exercising or carrying out  
884 any of the Connecticut Green Bank's purposes or powers.

885 Sec. 21. Subsection (f) of section 16-245n of the general statutes is  
886 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
887 *2021*):

888 (f) (1) The board shall issue annually a report to the Department of  
889 Energy and Environmental Protection reviewing the activities of the  
890 Connecticut Green Bank in detail and shall provide a copy of such

891 report, in accordance with the provisions of section 11-4a, to the joint  
892 standing committees of the General Assembly having cognizance of  
893 matters relating to energy, the environment, banking and commerce.  
894 The report shall include a description of the programs and activities  
895 undertaken during the reporting period jointly or in collaboration with  
896 the Conservation and Load Management Plan established pursuant to  
897 section 16-245m.

898 (2) The Clean Energy Fund and the Environmental Infrastructure  
899 Fund shall be audited annually. Such audits shall be conducted with  
900 generally accepted auditing standards by independent certified public  
901 accountants certified by the State Board of Accountancy. Such  
902 accountants may be the accountants for the Connecticut Green Bank.

903 (3) Any entity that receives financing for a clean energy or  
904 environmental infrastructure project from the [fund] Clean Energy  
905 Fund or the Environmental Infrastructure Fund shall provide the board  
906 an annual statement, certified as correct by the chief financial officer of  
907 the recipient of such financing, setting forth all sources and uses of funds  
908 in such detail as may be required by the bank for such project. The  
909 Connecticut Green Bank shall maintain any such audits for not less than  
910 five years. Residential projects for buildings with one to four dwelling  
911 units are exempt from this and any other annual auditing requirements,  
912 except that residential projects may be required to grant their utility  
913 companies' permission to release their usage data to the Connecticut  
914 Green Bank.

915 Sec. 22. Subdivision (1) of subsection (e) of section 16-245n of the  
916 general statutes is repealed and the following is substituted in lieu  
917 thereof (*Effective July 1, 2021*):

918 (e) (1) The powers of the Connecticut Green Bank shall be vested in  
919 and exercised by a board of directors, which shall consist of [eleven]  
920 twelve voting members and [two] one nonvoting [members] member  
921 each with knowledge and expertise in matters related to the purpose  
922 and activities of said bank appointed as follows: The Treasurer or the

923 Treasurer's designee, the Commissioner of Energy and Environmental  
924 Protection or the commissioner's designee, [and] the Commissioner of  
925 Economic and Community Development or the commissioner's  
926 designee, and the Secretary of the Office of Policy and Management or  
927 the secretary's designee, each serving ex officio, one member who shall  
928 represent a residential or low-income group appointed by the speaker  
929 of the House of Representatives for a term of four years, one member  
930 who shall have experience in investment fund management appointed  
931 by the minority leader of the House of Representatives for a term of  
932 three years, one member who shall represent an environmental  
933 organization appointed by the president pro tempore of the Senate for  
934 a term of four years, and one member who shall have experience in the  
935 finance or deployment of renewable energy appointed by the minority  
936 leader of the Senate for a term of four years. Thereafter, such members  
937 of the General Assembly shall appoint members of the board to succeed  
938 such appointees whose terms expire and each member so appointed  
939 shall hold office for a period of four years from the first day of July in  
940 the year of his or her appointment. The Governor shall appoint four  
941 members to the board as follows: Two for two years who shall have  
942 experience in the finance of renewable energy; one for four years who  
943 shall be a representative of a labor organization; and for four years  
944 who shall have experience in research and development or  
945 manufacturing of clean energy. Thereafter, the Governor shall appoint  
946 members of the board to succeed such appointees whose terms expire  
947 and each member so appointed shall hold office for a period of four  
948 years from the first day of July in the year of his or her appointment. The  
949 president of the Connecticut Green Bank shall be elected by the  
950 members of the board. The president of the Connecticut Green Bank  
951 shall serve on the board in an ex-officio, nonvoting capacity. The  
952 Governor shall appoint the chairperson of the board. The board shall  
953 elect from its members a vice chairperson and such other officers as it  
954 deems necessary and shall adopt such bylaws and procedures it deems  
955 necessary to carry out its functions. The board may establish committees  
956 and subcommittees as necessary to conduct its business.

957 Sec. 23. Subsection (g) of section 16-245mm of the general statutes is  
958 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
959 *2021*):

960 (g) Notwithstanding any other provision contained in this section,  
961 the aggregate amount of bonds secured by such special capital reserve  
962 fund authorized to be created and established by this section shall not  
963 exceed [one hundred] two hundred fifty million dollars.

964 Sec. 24. Subsection (c) of section 16-245kk of the general statutes is  
965 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
966 *2021*):

967 (c) The bonds may be issued as serial bonds or as term bonds, or the  
968 Connecticut Green Bank, in its discretion, may issue bonds of both  
969 types. The bonds shall be authorized by resolution of the members of  
970 the board of directors of said bank and shall bear such date or dates,  
971 mature at such time or times, not exceeding [twenty] twenty-five years  
972 for bonds issued for clean energy and fifty years for bonds issued for  
973 environmental infrastructure from their respective dates and in each  
974 case not to exceed the expected useful life of the underlying project or  
975 projects, bear interest at such rate or rates, be payable at such time or  
976 times, be in such denominations, be in such form, either coupon or  
977 registered, carry such registration privileges, be executed in such  
978 manner, be payable in lawful money of the United States at such place  
979 or places, and be subject to such terms of redemption, as such resolution  
980 or resolutions may provide. The bonds or notes may be sold at public or  
981 private sale for such price or prices as said bank shall determine. The  
982 power to fix the date of sale of bonds, to receive bids or proposals, to  
983 award and sell bonds, and to take all other necessary action to sell and  
984 deliver bonds may be delegated to the chairperson or vice-chairperson  
985 of the board, a subcommittee of the board or other officers of said bank  
986 by resolution of the board. The exercise of such delegated powers may  
987 be made subject to the approval of a majority of the members of the  
988 board which approval may be given in the manner provided in the  
989 bylaws of said bank. Pending preparation of the definitive bonds, said

990 bank may issue interim receipts or certificates which shall be exchanged  
991 for such definitive bonds.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	22a-498
Sec. 2	<i>July 1, 2021</i>	22a-498a
Sec. 3	<i>July 1, 2021</i>	22a-498b
Sec. 4	<i>July 1, 2021</i>	New section
Sec. 5	<i>July 1, 2021</i>	25-84
Sec. 6	<i>July 1, 2021</i>	25-85
Sec. 7	<i>July 1, 2021</i>	25-86
Sec. 8	<i>July 1, 2021</i>	25-87
Sec. 9	<i>July 1, 2021</i>	25-92
Sec. 10	<i>July 1, 2021</i>	25-94
Sec. 11	<i>July 1, 2021</i>	25-95
Sec. 12	<i>July 1, 2021</i>	25-97
Sec. 13	<i>July 1, 2021</i>	25-98
Sec. 14	<i>July 1, 2021</i>	7-326
Sec. 15	<i>July 1, 2021</i>	7-328(a)
Sec. 16	<i>July 1, 2021</i>	22a-113p
Sec. 17	<i>July 1, 2021</i>	22a-361(e)(2)
Sec. 18	<i>July 1, 2021</i>	25-76
Sec. 19	<i>July 1, 2021</i>	7-159d(c)
Sec. 20	<i>July 1, 2021</i>	16-245n(a) to (d)
Sec. 21	<i>July 1, 2021</i>	16-245n(f)
Sec. 22	<i>July 1, 2021</i>	16-245n(e)(1)
Sec. 23	<i>July 1, 2021</i>	16-245mm(g)
Sec. 24	<i>July 1, 2021</i>	16-245kk(c)

**ENV**      *Joint Favorable Subst.*