



General Assembly

January Session, 2021

Committee Bill No. 355

LCO No. 2724



Referred to Committee on HOUSING

Introduced by:
(HSG)

***AN ACT CONCERNING A LANDLORD'S ABILITY TO CONSIDER THE
CRIMINAL RECORD OF PROSPECTIVE TENANTS.***

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

1 Section 1. (NEW) (*Effective October 1, 2021*) (a) As used in this section,
2 "landlord" and "tenant" have the same meanings as provided in section
3 47a-1 of the general statutes. Not later than January 1, 2022, the
4 Commissioner of Housing shall adopt regulations in accordance with
5 the provisions of chapter 54 of the general statutes, concerning a limited
6 time period, immediately preceding a rental application, for which a
7 landlord or agent of such landlord may consider the criminal record of
8 a prospective tenant to evaluate the rental application of such
9 prospective tenant. Such limited time period shall be not more than
10 seven years for consideration of a felony committed by a prospective
11 tenant and not more than three years for consideration of a
12 misdemeanor committed by a prospective tenant.

13 (b) Any landlord or agent of such landlord who rents to a tenant in
14 accordance with the regulations adopted under subsection (a) of this
15 section shall be immune from any civil liability for any damage or injury

16 arising from any subsequent criminal act of such tenant, unless such
17 landlord or agent of such landlord was a conspirator, accomplice or
18 otherwise complicit in such criminal act.

19 Sec. 2. Section 8-45a of the general statutes is repealed and the
20 following is substituted in lieu thereof (*Effective January 1, 2022*):

21 A housing authority, as defined in subsection (b) of section 8-39, in
22 determining eligibility for the rental of public housing units may
23 establish criteria and consider relevant information concerning (1) an
24 applicant's or any proposed occupant's history of criminal activity,
25 during the time period established under section 1 of this act and in
26 accordance with the regulations adopted under section 1 of this act,
27 involving: (A) Crimes of physical violence to persons or property, (B)
28 crimes involving the illegal manufacture, sale, distribution or use of, or
29 possession with intent to manufacture, sell, use or distribute, a
30 controlled substance, as defined in section 21a-240, or (C) other criminal
31 acts which would adversely affect the health, safety or welfare of other
32 tenants, (2) an applicant's or any proposed occupant's abuse, or pattern
33 of abuse, of alcohol when the housing authority has reasonable cause to
34 believe that such applicant's or proposed occupant's abuse, or pattern of
35 abuse, of alcohol may interfere with the health, safety or right to
36 peaceful enjoyment of the premises by other residents, and (3) an
37 applicant or any proposed occupant who is subject to a lifetime
38 registration requirement under section 54-252 on account of being
39 convicted or found not guilty by reason of mental disease or defect of a
40 sexually violent offense. In evaluating any such information, the
41 housing authority shall give consideration to the time, nature and extent
42 of the applicant's or proposed occupant's conduct and to factors which
43 might indicate a reasonable probability of favorable future conduct such
44 as evidence of rehabilitation and evidence of the willingness of the
45 applicant, the applicant's family or the proposed occupant to participate
46 in social service or other appropriate counseling programs and the
47 availability of such programs.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2021</i>	New section
Sec. 2	<i>January 1, 2022</i>	8-45a

HSG *Joint Favorable*