



General Assembly

Substitute Bill No. 5336

February Session, 2024



**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
CONNECTICUT HOUSING AND SEGREGATION STUDY.**

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

1 Section 1. (NEW) (*Effective October 1, 2024*) On or before January 1,
2 2025, and not less than annually thereafter, the Commissioner of
3 Housing shall undertake an assessment of the housing assistance
4 payments available under the federal Housing Choice Voucher
5 Program, 42 USC 1437f(o), as amended from time to time, to residents
6 in the state. The commissioner shall, to the extent practicable, equalize
7 housing assistance payments made available by the commissioner
8 under the rental assistance program established pursuant to chapter
9 138a of the general statutes, or any other housing voucher programs
10 administered in whole or in part by the commissioner, with the housing
11 assistance payments available under the federal Housing Choice
12 Voucher Program based on (1) housing unit size, location or other
13 pertinent physical characteristics of such unit, and (2) the income level
14 of the individual or family that may reside in such unit.

15 Sec. 2. Subsection (g) of section 8-345 of the 2024 supplement to the
16 general statutes is repealed and the following is substituted in lieu
17 thereof (*Effective October 1, 2024*):

18 (g) The commissioner shall adopt regulations in accordance with the

19 provisions of chapter 54 to carry out the purposes of this section. The
20 regulations shall establish maximum income eligibility guidelines for
21 such rental assistance and criteria for determining the amount of rental
22 assistance [which] that shall be provided to eligible families, provided
23 such regulations shall require that the commissioner conduct a
24 reexamination concerning any eligible family's continued eligibility for
25 rental assistance not more frequently than biennially.

26 Sec. 3. Section 8-72 of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective October 1, 2024*):

28 (a) Each developer or housing authority shall manage and operate its
29 housing projects in an efficient manner so as to enable it to fix the rentals
30 for dwelling accommodations at the lowest possible rates consistent
31 with providing decent, safe and sanitary dwelling accommodations,
32 and no housing authority or nonprofit corporation shall construct or
33 operate any such project for profit. To this end an authority or a
34 nonprofit corporation shall fix the rentals for dwelling in its projects at
35 no higher rates than it finds to be necessary in order to produce revenues
36 which, together with all other available money, revenues, income and
37 receipts of the authority or nonprofit corporation from whatever sources
38 derived, will be sufficient [(a)] (1) to pay, as the same become due, the
39 principal and interest on the bonds of the authority or nonprofit
40 corporation; and [(b)] (2) to meet the cost of, and to provide for,
41 maintaining and operating the projects, including the cost of any
42 insurance, and the administrative expenses of the authority or nonprofit
43 corporation, [;] provided nothing in this section shall be construed as
44 prohibiting any authority or nonprofit corporation from providing for
45 variable rentals based on family income.

46 (b) In the operation or management of housing projects an authority
47 or nonprofit corporation shall, at all times, rent or lease the dwelling
48 accommodations therein at rentals within the financial reach of families
49 of low income. The Commissioner of Housing may establish maximum
50 income limits for the admission and continued occupancy of tenants,
51 provided (1) such maximum income limits and all revisions thereof for

52 housing projects operated pursuant to any contract with any agency of
53 the federal government shall be subject to the prior approval of such
54 federal agency, and (2) no tenant shall be subject to a reexamination
55 concerning such tenant's income for the purposes of such tenant's
56 continued occupancy more frequently than biennially unless otherwise
57 required by federal law.

58 (c) The [Commissioner of Housing] commissioner shall define the
59 income of a family to provide the basis for determining eligibility for the
60 admission, rentals and for the continued occupancy of families under
61 the maximum income limits fixed and approved, provided no family
62 shall be subject to a reexamination concerning such family's income for
63 the purposes of such family's continued occupancy more frequently
64 than biennially unless otherwise required by federal law. The definition
65 of family income [,] adopted by the [Commissioner of Housing,]
66 commissioner may provide for the exclusion of all or part of the income
67 of any family [members which] member that, in the judgment of [said]
68 the commissioner, is not generally available to meet the cost of basic
69 living needs of the family. No housing authority or developer shall
70 refuse to rent any dwelling accommodation to an otherwise qualified
71 applicant on the ground that one or more of the proposed occupants are
72 children born out of wedlock.

73 (d) Each housing authority and developer shall provide a receipt to
74 each applicant for admission to its housing projects stating the time and
75 date of application and shall maintain a list of such applications, which
76 shall be a public record, as defined in section 1-200. The [Commissioner
77 of Housing] commissioner shall, by regulation, provide for the manner
78 in which such list shall be created, maintained and revised.

79 (e) No provision of this part shall be construed as limiting the right
80 of the authority to vest in an obligee the right, in the event of a default
81 by such authority, to take possession of a housing project or cause the
82 appointment of a receiver thereof or acquire title thereto through
83 foreclosure proceedings, free from all the restrictions imposed by this
84 chapter with respect to rental rates and tenant selection. The

85 [Commissioner of Housing] commissioner shall approve an operation
86 or management plan of each housing project, which shall provide an
87 income adequate for debt service, if any, administration, including a
88 state service charge, other operating costs and establishment of
89 reasonable reserves for repairs, maintenance and replacements, vacancy
90 and collection losses. [Said] The commissioner shall have the right of
91 inspection of any housing during the period between the date on which
92 construction thereof begins and the date the state loan is fully paid or,
93 in the case of a grant, during the period for which any housing project
94 built pursuant to such grant is used for housing for families of low and
95 moderate income.

96 (f) An authority or developer shall semiannually submit to [said] the
97 commissioner a sworn statement setting forth such information with
98 respect to the tenants and rentals for each housing project hereunder
99 and the costs of operating each housing project under its jurisdiction as
100 said commissioner requires.

101 (g) Any person who makes a false statement concerning the income
102 of the family for which application for admission to or continued
103 occupancy of housing projects is made may be fined not more than five
104 hundred dollars or imprisoned not more than six months, or both. With
105 regard to a family who, since the last [annual] recertification, received
106 any public assistance or state-administered general assistance and
107 received earnings from employment, the authority or developer shall
108 not require any interim recertification due to an earnings increase. At
109 the [annual] recertification, the authority or developer shall base rent
110 levels on such family's average income throughout the preceding twelve
111 months. During the subsequent [twelve-month] twenty-four-month
112 period, the authority or developer shall not require any interim
113 recertifications due to increased earnings from employment. However,
114 if a family's income has decreased, nothing in this section shall preclude
115 an interim recertification or recertification based on the reduced income
116 level.

117 Sec. 4. Subsection (g) of section 8-119kk of the general statutes is

118 repealed and the following is substituted in lieu thereof (*Effective October*
119 *1, 2024*):

120 (g) The commissioner shall adopt regulations in accordance with the
121 provisions of chapter 54 to carry out the purposes of this section. The
122 regulations shall establish maximum income eligibility guidelines for
123 such rental assistance and criteria for determining the amount of rental
124 assistance which shall be provided to elderly persons, provided (1) the
125 amount of assistance for elderly persons who are certificate holders shall
126 be the difference between thirty per cent of their adjusted gross income,
127 less a utility allowance, and the base rent, and (2) such regulations shall
128 require that the commissioner conduct a reexamination concerning any
129 eligible elderly person's continued eligibility for rental assistance not
130 more frequently than biennially.

131 Sec. 5. (NEW) (*Effective October 1, 2024*) On or before August 1, 2025,
132 the Commissioner of Housing, in coordination with the Connecticut
133 Housing Finance Authority, shall adopt a qualified allocation plan that
134 shall (1) replace any existing priority score or other point allocation
135 based on the location of a proposed housing development with a
136 priority score or other point allocation based upon the extent to which
137 such development meets a need for units of affordable housing, as
138 defined in section 8-39a of the general statutes, in the planning region,
139 as defined in section 4-68ii of the general statutes, pursuant to the
140 municipal fair share allocation established under section 4-68ii of the
141 general statutes, and (2) replace any existing priority score or other point
142 allocation based on the lowest credit per qualified unit of a proposed
143 housing development with a priority score or other point allocation
144 based upon whether the municipality in which such development is
145 proposed has not previously received funding through the federal Low-
146 Income Housing Tax Credit Program.

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

Sec. 2	<i>October 1, 2024</i>	8-345(g)
Sec. 3	<i>October 1, 2024</i>	8-72
Sec. 4	<i>October 1, 2024</i>	8-119kk(g)
Sec. 5	<i>October 1, 2024</i>	New section

Statement of Legislative Commissioners:

In Section 3(c), "adopted" was added for clarity; in Sections 3(c), (d) and (e), "Commissioner of Housing" was changed to "commissioner" for consistency; and in Section 3(g), "twelve-month" was changed to "twenty-four-month" for accuracy.

HSG *Joint Favorable Subst.*