



General Assembly

Substitute Bill No. 979

January Session, 2023



**AN ACT CONCERNING THE ESTABLISHMENT OF THE
CONNECTICUT HOME ENERGY LABEL AND THE TREE CANOPY OF
CERTAIN MUNICIPALITIES.**

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

1 Section 1. (NEW) (*Effective January 1, 2024*) (a) As used in this section,
2 "Connecticut home energy label" or "label" means a label developed by
3 the Commissioner of Energy and Environmental Protection that
4 provides a score regarding a residence's energy efficiency and is
5 consistent with all nationally recognized ratings, including the United
6 States Department of Energy Home Energy score, the Home Energy
7 Rating System Index score and the Energy Star score.

8 (b) (1) In developing the Connecticut home energy label, the
9 commissioner shall consider factors, including, but not limited to, (A)
10 the cost effectiveness of the labeling process, (B) the ability of a
11 residence's owner to conduct the labeling process and generate a label
12 for the residence without outside or professional assistance, (C) the
13 clarity of the information the label provides regarding the residence's
14 estimated energy efficiency, (D) the standardization of the label, (E) the
15 ability of the label to integrate information generated by existing
16 nationally recognized ratings, and (F) the accuracy and reliability of the
17 label.

18 (2) In developing the label, the commissioner shall provide an
19 opportunity for public comment.

20 (c) (1) Any landlord, upon (A) listing any dwelling unit for rent
21 through a multiple listing service, real estate brokers' organization or
22 other service, organization or facility related to the business of selling or
23 renting dwelling units, including private listing services, or (B) offering
24 any dwelling unit for rent through a means other than those specified in
25 subparagraph (A) of this subdivision, shall provide a Connecticut home
26 energy label for the dwelling unit to any prospective tenant at the
27 tenant's request or prior to the tenant's signing of a lease for the dwelling
28 unit. For dwelling units listed pursuant to subparagraph (A) of this
29 subdivision, the landlord shall provide the Connecticut home energy
30 label through the service, organization or facility through which the
31 landlord lists the dwelling unit.

32 (2) The provisions of this section shall apply: (A) On and after (i) July
33 1, 2024, or (ii) thirty days after the commissioner's public release of the
34 Connecticut home energy label, whichever is later, to any municipality
35 that contains a census tract in which the average percentage of gross
36 household income spent on home heating and electricity costs is not less
37 than ten per cent; (B) on or after July 1, 2025, to any municipality that
38 contains a census tract in which the average percentage of gross
39 household income spent on home heating and electricity costs is not less
40 than six per cent; (C) on or after July 1, 2026, to any municipality
41 containing a census tract in which the average percentage of gross
42 household income spent on home heating and electricity costs is not less
43 than four per cent; and (D) on or after July 1, 2027, to all municipalities.

44 (3) The Commissioners of Housing and Energy and Environmental
45 Protection shall, not later than March first of each year, publish on the
46 Departments of Housing's and Energy and Environmental Protection's
47 Internet web sites a list of municipalities that meet the criteria set forth
48 in subdivision (2) of this subsection according to the Low-Income
49 Energy Affordability Data Tool maintained by the United States
50 Department of Energy, or a successor tool.

51 (4) The provisions of this section shall not apply to: (A) The rental of
52 any dwelling unit for which rent payments include a fixed amount for
53 all charges for electricity, natural gas or heating fuel, as defined in
54 section 16a-23m of the general statutes; (B) any dwelling unit in a
55 building that was constructed on or after January 1, 2000; or (C) on or
56 before July 1, 2027, any dwelling unit in any building occupied by the
57 landlord of such building as a residence.

58 (d) (1) Notwithstanding the provisions of section 51-164p of the
59 general statutes, any municipality subject to the provisions of this
60 section may, by ordinance, establish a civil penalty payable to such
61 municipality for a violation of this section, provided such civil penalty
62 shall not exceed five hundred dollars for a first violation or one
63 thousand dollars for any subsequent violation.

64 (2) Any person assessed any civil penalty under subdivision (1) of
65 this subsection may appeal such assessment to the Superior Court not
66 later than thirty days after the mailing date of the notice of such
67 assessment by filing a petition to reopen the assessment, together with
68 an entry fee equal to the entry fee for a small claims case under section
69 52-259 of the general statutes, at the Superior Court facility designated
70 by the Chief Court Administrator. Such petition shall entitle such person
71 to a hearing under the rules of the judges of the Superior Court.

72 (3) The remedies in this subsection shall be in addition to any other
73 remedies available at law, or in equity, to any person. This section shall
74 not be construed to limit or restrict the authority of any state or local
75 housing or health code enforcement agency.

76 Sec. 2. Section 47a-1 of the general statutes is repealed and the
77 following is substituted in lieu thereof (*Effective January 1, 2024*):

78 As used in this chapter and sections 47a-21, 47a-23 to 47a-23c,
79 inclusive, 47a-26a to 47a-26g, inclusive, 47a-35 to 47a-35b, inclusive, 47a-
80 41a, 47a-43, [and] 47a-46 and [section] 47a-7b and section 1 of this act:

81 (a) "Action" includes recoupment, counterclaim, set-off, cause of

82 action and any other proceeding in which rights are determined,
83 including an action for possession.

84 (b) "Building and housing codes" include any law, ordinance or
85 governmental regulation concerning fitness for habitation or the
86 construction, maintenance, operation, occupancy, use or appearance of
87 any premises or dwelling unit.

88 (c) "Dwelling unit" means any house or building, or portion thereof,
89 which is occupied, is designed to be occupied, or is rented, leased or
90 hired out to be occupied, as a home or residence of one or more persons.

91 (d) "Landlord" means the owner, lessor or sublessor of the dwelling
92 unit, the building of which it is a part or the premises.

93 (e) "Owner" means one or more persons, jointly or severally, in whom
94 is vested (1) all or part of the legal title to property, or (2) all or part of
95 the beneficial ownership and a right to present use and enjoyment of the
96 premises and includes a mortgagee in possession.

97 (f) "Person" means an individual, corporation, limited liability
98 company, the state or any political subdivision thereof, or agency,
99 business trust, estate, trust, partnership or association, two or more
100 persons having a joint or common interest, and any other legal or
101 commercial entity.

102 (g) "Premises" means a dwelling unit and the structure of which it is
103 a part and facilities and appurtenances therein and grounds, areas and
104 facilities held out for the use of tenants generally or whose use is
105 promised to the tenant.

106 (h) "Rent" means all periodic payments to be made to the landlord
107 under the rental agreement.

108 (i) "Rental agreement" means all agreements, written or oral, and
109 valid rules and regulations adopted under section 47a-9 or subsection
110 (d) of section 21-70 embodying the terms and conditions concerning the

111 use and occupancy of a dwelling unit or premises.

112 (j) "Roomer" means a person occupying a dwelling unit, which unit
113 does not include a refrigerator, stove, kitchen sink, toilet and shower or
114 bathtub and one or more of these facilities are used in common by other
115 occupants in the structure.

116 (k) "Single-family residence" means a structure maintained and used
117 as a single dwelling unit. Notwithstanding that a dwelling unit shares
118 one or more walls with another dwelling unit or has a common parking
119 facility, it is a single-family residence if it has direct access to a street or
120 thoroughfare and does not share heating facilities, hot water equipment
121 or any other essential facility or service with any other dwelling unit.

122 (l) "Tenant" means the lessee, sublessee or person entitled under a
123 rental agreement to occupy a dwelling unit or premises to the exclusion
124 of others or as is otherwise defined by law.

125 (m) "Tenement house" means any house or building, or portion
126 thereof, which is rented, leased or hired out to be occupied, or is
127 arranged or designed to be occupied, or is occupied, as the home or
128 residence of three or more families, living independently of each other,
129 and doing their cooking upon the premises, and having a common right
130 in the halls, stairways or yards.

131 Sec. 3. Section 23-8 of the general statutes is amended by adding
132 subsection (f) as follows (*Effective October 1, 2023*):

133 (NEW) (f) In order to ensure the benefits of open space and tree cover
134 are enjoyed equitably by residents of the state, it shall be the goal of the
135 state to increase the percentage of environmental justice communities,
136 as defined in section 22a-20a, and municipalities with a population of
137 one hundred thousand or more that are covered by tree canopy, not later
138 than January 1, 2024, to a level of five per cent of the total area of such
139 communities and municipalities.

