

Checkpoint Contents
State & Local Tax Library
State Legislation
Prior Legislative Sessions
2015
Full Text of Prior Enacted Legislation
Connecticut
Senate
2015 CT S 677 - 2015 CT SJR 50
2015 CT S 1502, Adopted

2015 Connecticut Senate Bill No. 1502, Connecticut General Assembly - June Special Session, 2015

AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2017, CONCERNING GENERAL GOVERNMENT, EDUCATION, HEALTH AND HUMAN SERVICES AND BONDS OF THE STATE.

Author: Sen. Martin M. Looney, Sen. Bob Duff, Rep. J. Brendan Sharkey, Rep. Joe Aresimowicz, Rep. William Tong, 147th Dist. Rep. Bruce V. Morris, 140th Dist. Rep. Robyn A. Porter, 94th Dist. Rep. Ernest Hewett, 39th Dist. Rep. Terry B. Adams, 146th Dist.

Version: Adopted

Version date: 20150630

Changes are annotated clearly to make it easy to review modifications. See the color scheme listed below.

A. **[D] Text Deleted [D]**

B. **[A] Text Added [A]**

C. **[V] Text Vetoed [V]**

Full Text

The material accompanying this summary is subject to copyright. Usage is governed by contract with Thomson Reuters, West and their affiliates.

SUMMARY: AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE BIENNIUM

ENDING JUNE 30, 2017, CONCERNING GENERAL GOVERNMENT, EDUCATION, HEALTH AND HUMAN SERVICES AND BONDS OF THE STATE.

TEXT :

Senate Bill No. 1502

June Special Session, Public Act No. 15-5

AN ACT IMPLEMENTING PROVISIONS OF THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE 30, 2017, CONCERNING GENERAL GOVERNMENT, EDUCATION, HEALTH AND HUMAN SERVICES AND BONDS OF THE STATE.

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

Section 1. (NEW) (Effective July 1, 2015) (a) There is hereby established and created a body politic and corporate, constituting a public instrumentality and political subdivision of the state of Connecticut established and created for the performance of an essential public and governmental function, to be known as the Connecticut Port Authority. The authority shall not be construed to be a department, institution or agency of the state.

(b) The powers of the authority shall be vested in and exercised by a board of directors, which shall consist of fifteen voting members as follows: (1) The State Treasurer, or the Treasurer's designee, the Commissioner of Energy and Environmental Protection, or the commissioner's designee, the Commissioner of Transportation, or the commissioner's designee, the Commissioner of Economic and Community Development, or the commissioner's designee, and the Secretary of the Office of Policy and Management, or the secretary's designee, all of whom shall serve ex officio; (2) one appointed by the speaker of the House of Representatives for a term of four years; (3) one appointed by the majority leader of the House of Representatives for a term of two years; (4) one appointed by the minority leader of the House of Representatives for a term of two years; (5) one appointed by the president pro tempore of the Senate for a term of four years; (6) one appointed by the majority leader of the Senate for a term of two years; (7) one appointed by the minority leader of the Senate for a term of four years; and (8) four appointed by the Governor, two for a term of four years and two for a term of two years. Thereafter, said members of the General Assembly and the Governor shall appoint members of the board to succeed such appointees whose terms expire and each member so appointed shall hold office for a period of four years from the first day of July in the year of his or her appointment. Appointed members shall include: (A) Individuals who have experience and expertise in one or more of the following areas: (i) International trade; (ii) marine transportation; (iii) finance; or (iv) economic development; (B) one member or employee of a local port authority; (C) one elected or appointed municipal official from a coastal municipality with a population not greater than one hundred thousand; and (D) one elected or appointed municipal official from a coastal community with a population not greater than fifty thousand. The board of directors shall select the chairperson from among the members of the board, who shall serve for a term of two years.

The board of directors shall select a vice-chairperson from among its members and such other officers as it deems necessary.

(c) No appointed member of the board of directors may designate a representative to perform his or her respective duties under this section in such member's absence. Any appointed member who fails to attend three consecutive meetings of the board or who fails to attend fifty per cent of all meetings of the board held during any calendar year shall be deemed to have resigned from the board. Any vacancy occurring other than by expiration of term shall be filled not later than thirty days following the occurrence of such vacancy in the same manner as the original appointment for the balance of the unexpired term. The appointing authority for any member may remove such member for inefficiency, neglect of duty or misconduct in office after giving the member a copy of the charges against the member and an opportunity to be heard, in person or by counsel, in the member's defense, upon not less than ten days' notice. If any member shall be so removed, the appointing authority for such member shall file in the office of the Secretary of the State a complete statement of charges made against such member and the appointing authority's findings on such statement of charges, together with a complete record of the proceedings.

(d) The members of the board of directors shall appoint an executive director of the authority who shall not be a member of the board and shall serve at the pleasure of the board and receive such compensation as shall be fixed by the board. The executive director shall: (1) Be the chief administrative officer of the authority and direct and supervise administrative affairs and technical activities in accordance with the directives of the board; (2) approve all accounts for salaries, allowable expenses of the authority or of any employee or consultant thereof, and expenses incidental to the operation of the authority; (3) perform such other duties as may be directed by the board in carrying out the purposes of this section; and (4) attend all meetings of the board, keep a record of the proceedings of the authority and maintain and be custodian of all books, documents and papers filed with the authority and of the minute book or journal of the authority and of its official seal. The executive director may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that such copies are true copies, and all persons dealing with the authority may rely upon such certificates.

(e) Each member of the board of directors shall serve without compensation, but shall be reimbursed for such member's actual and necessary expenses incurred during the performance of such member's official duties.

(f) Members of the board of directors may engage in private employment, or in a profession or business, subject to any applicable laws, rules and regulations of the state regarding official ethics or conflict of interest.

(g) Notwithstanding any provision of the general statutes, it shall not constitute a conflict of interest for a trustee, director, partner or officer of any person, firm or corporation, or any individual having a financial interest in a person, firm or corporation, to serve as a member of the board of directors of the authority,

provided such trustee, director, partner, officer or individual shall comply with all applicable provisions of chapter 10 of the general statutes.

(h) Eight members of the board of directors of the authority shall constitute a quorum for the transaction of any business or the exercise of any power of the authority. For the transaction of any business or the exercise of any power of the authority, and except as otherwise provided in this section, the authority may act by a majority of the members present at any meeting at which a quorum is in attendance.

(i) The board may delegate to eight or more members such board powers and duties as it may deem necessary and proper in conformity with the provisions of this section and its bylaws.

(j) The initial members of the board may begin service immediately upon appointment, but shall not serve past the sixth Wednesday of the next regular session of the General Assembly unless qualified in the manner provided in section 4-7 of the general statutes. Thereafter, all appointments shall be made with the advice and consent of both houses of the General Assembly, in the manner provided in section 4-19 of the general statutes.

(k) On or before December fifteenth of each year, the board shall report, in accordance with the provisions of section 11-4a of the general statutes, to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to transportation, commerce and the environment, summarizing the authority's activities, disclosing operating and financial statements and recommending legislation to promote the authority's purposes.

(l) Not later than seven days after receiving an audit of the authority conducted by an independent auditing firm, the board shall submit, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations, commerce, the environment and transportation a copy of each such audit.

(m) The board shall: (1) Develop and recommend to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to transportation a maritime policy for the state; (2) advise the Governor and such committee concerning the state's maritime policies and operations; (3) support the development of the state's maritime commerce and industries, including its ports and harbors; (4) recommend investments and actions, including dredging, required in order to preserve and enhance maritime commerce and industries; and (5) conduct studies and present recommendations concerning maritime issues.

(n) At least once each year, the board shall hold a public hearing for the purpose of evaluating the adequacy of the state's maritime policies, facilities and support for maritime commerce and industry.

(o) On or before January 1, 2017, and annually thereafter, the board of directors shall submit, in writing, to the Governor (1) a list of projects which, if undertaken by the state, would support the state's maritime policies and encourage maritime commerce and industry; (2) recommendations for improvements to existing maritime policies, programs and facilities; and (3) such other recommendations as the board

considers appropriate. Copies of such report shall be submitted to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 2. (NEW) (Effective July 1, 2015) (a) The purposes of the Connecticut Port Authority shall be to coordinate the development of Connecticut's ports and harbors, with a focus on private and public investments, pursue federal and state funds for dredging and other infrastructure improvements to increase cargo movement through the ports and maintain navigability of all ports and harbors, market the economic development of such ports and harbors, work with the Department of Economic and Community Development and other state, local and private entities to maximize the economic potential of the ports and harbors, support and enhance the overall development of the state's maritime commerce and industries, coordinate the planning and funding of capital projects promoting the development of the ports and harbors, develop strategic entrepreneurial initiatives that may be available to the state, coordinate the state's maritime policy activities, serve as the Governor's principal maritime policy advisor and undertake such other responsibilities as may be assigned to it. To accomplish the purposes of the authority, the authority shall have the duty and power to:

- (1) Have perpetual succession as a body politic and corporate and to adopt bylaws for the regulation of its affairs and the conduct of its business;
- (2) Adopt an official seal and alter the same at pleasure;
- (3) Maintain an office at such place or places as it may designate;
- (4) Sue and be sued in its own name, and plead and be impleaded;
- (5) Develop an organizational and management structure that will best accomplish the goals of the authority concerning Connecticut ports and harbors;
- (6) Create a code of conduct for the board of directors of the authority consistent with part I of chapter 10 of the general statutes;
- (7) Adopt rules for the conduct of its business, which shall not be considered regulations as defined in section 4-166 of the general statutes;
- (8) Adopt an annual budget and plan of operations, including a requirement of board approval before the budget or plan may take effect;
- (9) Employ such assistants, agents and other employees as may be necessary or desirable to carry out its purposes. (A) The executive director and such employees shall be exempt from the classified service and, except as provided in subparagraph (B) of this subdivision, shall not be employees, as defined in subsection (b) of section 5-270 of the general statutes. The authority shall fix appropriate compensation for such employees and establish all necessary or appropriate personnel practices and policies, including those relating to hiring, promotion, compensation, retirement and collective bargaining, which

need not be in accordance with chapter 68 of the general statutes, and the authority shall not be an employer, as defined in subsection (a) of section 5-270 of the general statutes, and may engage consultants, attorneys and appraisers as may be necessary or desirable to carry out its purposes in accordance with sections 1 to 9, inclusive, of this act. (B) For purposes of group welfare benefits and retirement, including, but not limited to, those provided under chapter 66 of the general statutes and sections 5-257 and 5-259 of the general statutes, the officers and all other employees of the authority shall be state employees. The authority shall reimburse the appropriate state agencies for all costs incurred by such designation; and

(10) Invest in, acquire, lease, purchase, own, manage, hold and dispose of real property and lease, convey or deal in or enter into agreements with respect to such property on any terms necessary or incidental to carrying out the purposes of sections 1 to 9, inclusive, of this act, provided such transactions shall not be subject to approval, review or regulation by any state agency pursuant to title 4b of the general statutes or any other provision of the general statutes, except the authority shall not convey fee simple ownership in any property associated with the ports or harbors under its jurisdiction and control without the approval of the State Properties Review Board and the Attorney General.

(b) The authority shall continue as long as it has bonds or other obligations outstanding and until its existence is terminated by law, provided no such termination shall affect any outstanding contractual obligation of the authority and the state shall succeed to the obligations of the authority under any contract. Upon the termination of the existence of the authority, all its rights and properties shall pass to and be vested in the state of Connecticut.

Sec. 3. (NEW) (Effective July 1, 2016) (a) The Connecticut Port Authority may authorize the issuance of bonds in one or more series and in principal amounts necessary to carry out the purposes of sections 1 to 9, inclusive, of this act. Such bonds shall be payable from all or a portion of the revenues of the ports and harbors of the state as may be specified in the proceedings authorizing such bonds, and may include, among other types of bonds, special purpose revenue bonds payable solely from revenues derived from special purpose facilities and bonds payable from particular sources of revenues. The authority may request such assistance from the Treasurer as may be necessary or desirable for the issuance by the authority of bonds to finance such projects and other improvements. The expense of such assistance shall be payable from the proceeds of such bonds and the State Treasurer may provide such assistance. The authority may appoint a finance or other committee of the board or one or more officers or employees to serve as the board's authorized delegate in connection with the issuance of bonds pursuant to this section.

(b) Bonds issued pursuant to this section shall be obligations of the authority and shall neither be payable from nor charged upon any funds other than the revenues of the authority pledged to the payment thereof, nor shall the state or any political subdivision thereof be subject to any liability thereon except to the extent of such pledged revenues. The issuance of bonds under the provisions of this section and sections 4 to 6, inclusive, of this act shall not directly or indirectly or contingently obligate the state or any political subdivision thereof to levy or to pledge any form of taxation whatever therefor or to

make any appropriation for their payment. The bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the state or of any political subdivision thereof, except the property of the authority or the state mortgaged or otherwise encumbered under the provisions and for the purposes of sections 1 to 9, inclusive, of this act. The substance of such limitation shall be plainly stated on the face of each bond. Bonds issued pursuant to this section and sections 4 to 6, inclusive, of this act shall not be subject to any statutory limitation on the indebtedness of the state and such bonds, when issued, shall not be included in computing the aggregate indebtedness of the state in respect to and to the extent of any such limitation.

(c) The bonds referred to in this section may be executed and delivered at such time or times, shall be dated, shall bear interest at such rate or rates, including variable rates to be determined in such manner as set forth in the proceedings authorizing the issuance of the bonds, provide for payment of interest on such dates, whether before or at maturity, shall mature at such time or times not exceeding thirty years from their date, have such rank or priority, be payable in such medium of payment, be issued in coupon, registered or book entry form, carry such registration and transfer privileges and be subject to purchase or redemption before maturity at such price or prices and under such terms and conditions, including the condition that such bonds be subject to purchase or redemption on the demand of the owner thereof, all as may be determined by the authority. The authority shall determine the form of the bonds, including any interest coupons to be attached thereto, the manner of execution of the bonds, the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the state. Prior to the preparation of definitive bonds, the authority may, under like restrictions, provide for the issuance of interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. If any of the officers whose signatures appear on the bonds or coupons cease to be officers before the delivery of any such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if they had remained in office until delivery.

(d) Any bonds issued under the authority of this section and sections 4 to 6, inclusive, of this act may be sold at public sale on sealed proposals or by negotiation in such manner, at such price and at such time or times as may be determined by the authority. The authority may pay from the proceeds of the bonds all costs and expenses which the authority may deem necessary or advantageous in connection with the authorization, sale and issuance thereof, including the cost of interest on any short-term financing authorized under subsection (b) of section 4 of this act.

(e) The principal of and interest on any bonds issued pursuant to this section shall be secured by a pledge of the revenues out of which such bonds shall be made payable. They may be secured by a mortgage covering all or any part of the project from which the revenues so pledged may be derived or by a pledge of one or more leases, sale contracts or loan agreements with respect to such project or by a pledge of one or more notes, debentures, bonds or other secured or unsecured debt obligations of any lessee or contracting party under a loan agreement or sale contract or by a pledge of reserve and sinking funds established pursuant to the resolution authorizing the issuance of the bonds and any other

funds and accounts, including proceeds from investment of any of the foregoing, established pursuant to this chapter or the proceedings authorizing the issuance of such bonds, and by moneys paid under a credit facility, including, but not limited to, a letter of credit or policy of bond insurance, issued by a financial institution pursuant to an agreement authorized by such proceedings.

(f) The proceedings under which the bonds are authorized to be issued pursuant to this section, and any mortgage given to secure the same, may, subject to the provisions of the general statutes, contain any agreements and provisions customarily contained in instruments securing bonds, including, but not limited to: (1) Provisions respecting custody of the proceeds from the sale of the bonds, including their investment and reinvestment until used for the cost of the project; (2) provisions respecting the fixing and collection of rents or payments with respect to the facilities of the ports and harbors of the state and any facility charges; (3) the terms to be incorporated in the lease, sale contract or loan agreement with respect to the project; (4) the maintenance and insurance of the project; (5) the creation, maintenance, custody, investment and reinvestment, and use of the revenues derived from the operation of the ports and harbors of the state; (6) establishment of reserves or sinking funds, and such accounts thereunder as may be established by the authority, and the regulation and disposition thereof; (7) the rights and remedies available in case of a default to the bondholders or to any trustee under any lease, sale contract, loan agreement, mortgage or trust indenture; (8) reimbursement agreements, remarketing agreements, standby bond purchase agreements or similar agreements in connection with obtaining any credit or liquidity facilities including, but not limited to, letters of credit or policies of bond insurance and such other agreements entered into pursuant to section 3-20a of the general statutes; (9) provisions for the issuance of additional bonds on a parity with bonds theretofore issued, including establishment of coverage requirements with respect thereto; (10) covenants to do or to refrain from doing such acts and things as may be necessary or convenient or desirable in order to better secure any bonds or to maintain any federal or state exemption from tax of the interest on such bonds; and (11) provisions or covenants of like or different character from the foregoing which are consistent with the provisions of sections 1 to 9, inclusive, of this act and which the authority determines in such proceedings are necessary, convenient or desirable in order to better secure the bonds or bond anticipation notes, or will tend to make the bonds or bond anticipation notes more marketable, and which are in the best interests of the state. The proceedings under which the bonds are authorized, and any mortgage given to secure the same, may further provide that any cash balances not necessary (A) to pay the cost of maintaining, repairing and operating the facilities of the ports and harbors of the state, (B) to pay the principal of and interest on the bonds as the same shall become due and payable, and (C) to create and maintain reserve and sinking funds as provided in any authorizing resolution or other proceedings shall be deposited into one or more specifically designated working funds to be held in trust by the authority and applied to future debt service requirements or other port authority purposes.

(g) In the discretion of the authority, bonds issued pursuant to this section may be secured by a trust indenture by and between the authority and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the state. Such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be

reasonable and proper and not in violation of law, including covenants setting forth the duties of the authority in relation to the exercise of its powers pursuant to sections 1 to 9, inclusive, of this act and the custody, safeguarding and application of all moneys. The authority may provide by such trust indenture for the payment of the proceeds of the bonds and the revenues from the operation of the ports and harbors of the state to the trustee under such trust indenture or other depository, and for the method of disbursement thereof, with such safeguards and restrictions as it may determine. All expenses incurred in carrying out such trust indenture may be treated as a part of the operating expenses of the applicable project. If the bonds shall be secured by a trust indenture, the bondholders shall have no authority to appoint a separate trustee to represent them.

(h) In connection with the issuance of bonds to finance a project or to refund bonds previously issued by the authority or the state to finance a project, the authority may create and establish one or more reserve funds to be known as special capital reserve funds and may pay into such special capital reserve funds (1) any moneys appropriated and made available by the state for the purposes of such funds, (2) any proceeds of sale of notes or bonds for a project, to the extent provided in the resolution of the authority authorizing the issuance thereof, and (3) any other moneys which may be made available to the authority for the purpose of such funds from any other source or sources. The moneys held in or credited to any special capital reserve fund established under this section, except as hereinafter provided, shall be used solely for the payment of the principal of and interest on, when due, whether at maturity or by mandatory sinking fund installments, on bonds of the authority secured by such capital reserve fund as the same become due, the purchase of such bonds of the authority, the payment of any redemption premium required to be paid when such bonds are redeemed prior to maturity; provided the authority shall have power to provide that moneys in any such fund shall not be withdrawn therefrom at any time in such amount as would reduce the amount of such funds to less than the maximum amount of principal and interest becoming due by reasons of maturity or a required sinking fund installment in the then current or any succeeding calendar year on the bonds of the authority then outstanding or the maximum amount permitted to be deposited in such fund by the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, to permit the interest on said bonds to be excluded from gross income for federal tax purposes and secured by such special capital reserve fund, such amount being herein referred to as the "required minimum capital reserve", except for the purpose of paying such principal of, redemption premium and interest on such bonds of the authority secured by such special capital reserve becoming due and for the payment of which other moneys of the authority are not available. The authority may provide that it shall not issue bonds secured by a special capital reserve fund at any time if the required minimum capital reserve on the bonds outstanding and the bonds then to be issued and secured by the same special capital reserve fund at the time of issuance, unless the authority, at the time of the issuance of such bonds, shall deposit in such special capital reserve fund from the proceeds of the bonds so to be issued, or otherwise, an amount which, together with the amount then in such special capital reserve fund, will be not less than the required minimum capital reserve. On or before December first, annually, there is deemed to be appropriated from the state General Fund such sums, if any, as shall be certified by the chairperson or vice-chairperson of the authority to the Secretary of the Office of Policy and

Management and the Treasurer, as necessary to restore each such special capital reserve fund to the amount equal to the required minimum capital reserve of such fund, and such amounts shall be allotted and paid to the authority. For the purpose of evaluation of any such special capital reserve fund, obligations acquired as an investment for any such fund shall be valued at market. Nothing contained in this section shall preclude the authority from establishing and creating other debt service reserve funds in connection with the issuance of bonds or notes of the authority which are not special capital reserve funds. Subject to any agreement or agreements with holders of outstanding notes and bonds of the authority, any amount or amounts allotted and paid to the authority pursuant to this section shall be repaid to the state from moneys of the authority at such time as such moneys are not required for any other of its corporate purposes and in any event shall be repaid to the state on the date one year after all bonds and notes of the authority theretofore issued on the date or dates such amount or amounts are allotted and paid to the authority or thereafter issued, together with interest on such bonds and notes, with interest on any unpaid installments of interest and all costs and expenses in connection with any action or proceeding by or on behalf of the holders thereof, are fully met and discharged. No bonds secured by a special capital reserve fund shall be issued to pay project costs unless the authority is of the opinion and determines that revenues pledged to secure such bonds shall be sufficient to (A) pay the principal of and interest on the bonds issued to finance the project, (B) establish, increase and maintain any reserves deemed by the authority to be advisable to secure the payment of the principal of and interest on such bonds, (C) pay the cost of maintaining the project in good repair and keeping it properly insured, and (D) pay such other costs of the project as may be required. No bonds secured by a special capital reserve fund shall be issued unless the issuance of such bonds is approved by the Treasurer. Notwithstanding any other provision contained in this section, the aggregate amount of bonds secured by the special capital reserve funds authorized to be created and established by this subsection shall not exceed fifty million dollars.

(i) Any pledge made by the authority shall be valid and binding from the time when the pledge is made, and the revenues or property so pledged and thereafter received by the authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act. The lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the authority, irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

(j) The authority shall have power out of any funds available therefor to purchase bonds or notes of the authority or the state issued pursuant to this section. The authority may hold, pledge, cancel or resell such bonds, subject to and in accordance with agreements with bondholders.

(k) Whether or not the notes and bonds are of such form and character as to be negotiable instruments under the terms of the Uniform Commercial Code, the notes and bonds are hereby made negotiable instruments within the meaning of and for all purposes of the Uniform Commercial Code, subject only to the provisions of the notes and bonds for registration.

(l) Any moneys held by the authority with respect to the ports and harbors of the state or by a trustee

pursuant to a trust indenture, subject to the provisions of such indenture, including proceeds from the sale of any bonds and notes, and revenues, receipts and income from the operation of the ports and harbors of the state may be invested and reinvested in such obligations, securities and other investments, including, without limitation, participation certificates in the Short Term Investment Fund created in section 3-27a of the general statutes, or deposited or redeposited in such bank or banks, all as shall be authorized by the authority in the proceedings authorizing the issuance of the bonds and notes.

(m) For the purposes of sections 1 to 9, inclusive, of this act, the costs of the project payable out of the proceeds of bonds issued pursuant to this section shall include: (1) Expenses and obligations incurred for labor and materials in connection with the construction of the project; (2) the cost of acquiring by purchase, if such purchase shall be deemed expedient, and the amount of any award or final judgment in any proceedings to acquire by condemnation, such land, property rights, rights-of-way, franchises, easements and other interests in land as may be deemed necessary or convenient in connection with such construction or with the operation of the project, and the amount of any damages incident thereto; (3) the costs of all machinery and equipment acquired in connection with the project; (4) reserves for the payment of the principal of and interest on any notes and bonds issued pursuant to this section and interest accruing on any such notes, during construction of the project and for six months after completion of such construction; (5) initial working capital, expenses of administration properly chargeable to the construction or acquisition of the project, legal, architectural and engineering expenses and fees, costs of audits, costs of preparing and issuing any notes and bonds pursuant to this section; and (6) all other items of expense not elsewhere specified incident to the planning, acquisition and construction of the project or of the placing of the same in operation.

(n) For purposes of sections 1 to 9, inclusive, of this act, the term "project" shall refer to the renovations and improvements to be acquired and constructed at the ports and harbors of the state as may be specified from time to time by the board in a resolution as contemplated by subsection (a) of this section.

Sec. 4. (NEW) (Effective July 1, 2016) (a) Any bonds issued by the authority under sections 3 to 6, inclusive, of this act and at any time outstanding may at any time be refunded by the authority by the issuance of its refunding bonds in such amounts as the authority may deem necessary, but not exceeding an amount sufficient to refund the principal of the bonds to be so refunded, any unpaid interest thereon and any premiums, related termination payments and commissions necessary to be paid in connection therewith and to pay costs and expenses which the authority may deem necessary or advantageous in connection with the authorization, sale and issuance of refunding bonds. Any such refunding may be effected whether the bonds to be refunded shall have matured or shall thereafter mature. All refunding bonds issued hereunder shall be payable and shall be subject to and may be secured in accordance with the provisions of section 3 of this act.

(b) Whenever the authority has adopted a resolution authorizing bonds pursuant to section 3 of this act, the authority may, pending the issue of such bonds, issue temporary notes and any renewals thereof in anticipation of the proceeds from the sale of such bonds, which notes and any renewals thereof shall be

designated "Bond Anticipation Notes". Such portion of the proceeds from the sale of such bonds as may be so required shall be applied to the payment of the principal of and interest on any such bond anticipation notes which have been issued. The principal of and interest on any bond anticipation notes issued pursuant to this subsection may be repaid from pledged revenues or other receipts, funds or moneys pledged to the repayment of the bonds in anticipation of which the bond anticipation notes are issued, to the extent not paid from the proceeds of renewals thereof or of the bonds.

Sec. 5. (NEW) (Effective July 1, 2016) (a) It is hereby determined that the purposes of sections 1 to 9, inclusive, of this act are public purposes and that the authority will be performing an essential governmental function in the exercise of the powers conferred upon it hereunder. The state covenants with the purchasers and all subsequent holders and transferees of notes and bonds issued by the authority under sections 3 to 6, inclusive, of this act in consideration of the acceptance of and payment for the notes and bonds, that the principal and interest of such notes and bonds shall at all times be free from taxation, except for estate and gift taxes, imposed by the state or by any political subdivision thereof but the interest on such notes and bonds shall be included in the computation of any excise or franchise tax. The authority is authorized to include this covenant of the state in any agreement with the holder of such notes or bonds. Any notes or bonds issued by the authority pursuant to sections 3 to 6, inclusive, of this act may be issued on a basis that provides that the interest thereon is intended to be exempt or not to be exempt from federal income taxation, as may be determined by the authority.

(b) Bonds issued under the authority of sections 3 to 6, inclusive, of this act are hereby made securities in which all public officers and public bodies of the state and its political subdivisions, all insurance companies, credit unions, building and loan associations, investment companies, banking associations, trust companies, executors, administrators, trustees and other fiduciaries and pension, profit-sharing and retirement funds may properly and legally invest funds, including capital in their control or belonging to them. Such bonds are hereby made securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the state for any purpose for which the deposit of bonds or obligations of the state is now or may hereafter be authorized by law.

Sec. 6. (NEW) (Effective July 1, 2016) The state of Connecticut does hereby pledge to and agree with the holders of any bonds and notes issued under this section and sections 3 to 5, inclusive, of this act and with those parties who may enter into contracts with the authority pursuant to the provisions of sections 1 to 9, inclusive, of this act that the state will not limit or alter the rights hereby vested in the authority until such obligations, together with the interest thereon, are fully met and discharged and such contracts are fully performed on the part of the authority, provided nothing contained herein shall preclude such limitation or alteration if and when adequate provision shall be made by law for the protection of the holders of such bonds and notes of the authority or those entering into such contracts with the authority. The authority is authorized to include this pledge and undertaking for the state in such bonds and notes or contracts.

Sec. 7. (Effective July 1, 2016) The exercise of the powers granted by sections 1 to 9, inclusive, of this

act shall be in all respects for the benefit of the people of the state, for the increase of their commerce, welfare and prosperity, and as the improvement of their infrastructure, navigability and transportation systems by the authority or its agent shall constitute the performance of an essential public function, neither the authority nor its agent shall be required to pay any taxes or assessments, including mortgage recording taxes, upon or with respect to any property acquired or used by the authority or its agent under the provisions of sections 1 to 9, inclusive, of this act or upon the income therefrom. On and before June 30, 2018, property and facilities owned by the authority shall be deemed to be state-owned real property for purposes of sections 12-19a and 12-19b of the general statutes, and the state shall make grants in lieu of taxes with respect to such property and facilities to the municipality in which such property and facilities are located as provided by said sections 12-19a and 12-19b.

Sec. 8. (Effective July 1, 2015) The Department of Economic and Community Development and the Connecticut Port Authority established pursuant to section 1 of this act may enter into a memorandum of understanding pursuant to which: (1) Administrative support and services, including all staff support necessary for the operations of the authority may be provided by the department, and (2) provision is made for the coordination of management and operational activities that may include: (A) Joint procurement and contracting; (B) the sharing of services and resources; (C) the coordination of promotional activities; and (D) other arrangements designed to enhance revenues, reduce operating costs or achieve operating efficiencies. The terms and conditions of such memorandum of understanding, including provisions with respect to the reimbursement by the authority to the department of the costs of such administrative support and services, shall be as the authority and the department determine to be appropriate. Such memorandum of understanding shall terminate as of June 30, 2018.

Sec. 9. (NEW) (Effective July 1, 2015) (a) The Connecticut Port Authority and the Commissioner of Transportation shall enter into one or more memoranda of understanding that will facilitate the authority's governance of the ports and harbors of the state, and provide for an orderly transition and transfer of ownership, jurisdiction or authority to control, operate and maintain such ports and harbors from the Department of Transportation to the authority. Such memoranda of understanding shall include, but not be limited to: (1) Those assets, funds and accounts, contracts and liabilities, powers and duties associated with the ports and harbors of the state that will be transferred to the authority, whether by deed, lease, management contract, agency agreement, assignment or assumption, and the manner of such transfer; (2) the time or times when such transfers shall be effective; and (3) the reimbursement to the state for the services provided under any memorandum of understanding. The memoranda of understanding shall provide for the lease, assignment or transfer of ownership, jurisdiction or authority to control the ports and harbors, together with all assets, funds and accounts, contracts and liabilities, powers and duties and the manner and timing of any such lease, assignment or transfer. The authority, from time to time, shall advise the Department of Transportation of its readiness to accept any such lease, assignment or transfer in accordance with such memoranda of understanding, and such leases, assignments or transfers shall not be unreasonably delayed or withheld. If any bonds or other obligations issued under any provision of the general statutes for projects or purposes relating to ports and harbors remain outstanding, the Treasurer shall also be party to any such memorandum of understanding. Once

any such power, duty, asset, fund or account, contract or liability shall have been transferred to the authority, the commissioner shall not thereafter exercise any such power, perform such duty or take action with respect to any such asset, fund or account, contract or liability.

(b) No memorandum of understanding entered into between the authority, the commissioner and the Treasurer, if applicable, shall provide for any powers to be ceded to the authority, any duties to be assumed by the authority or any transfer of assets, funds or accounts, contracts or liabilities to the authority if such cession, assumption or transfer shall contravene any contract now extant between the state and any other party including, without limitation, any bonds or other obligations issued pursuant to any provision of the general statutes for projects or purposes relating to ports and harbors or any trust indenture or other agreement with respect to such bonds or other obligations. The Treasurer, the commissioner and the authority, and each of them, shall enter into such agreements, amendments, consents, assignments, supplemental indentures and other documents and instruments necessary to provide for such cession, assumption or transfer. The authority may, with the consent and approval of the Treasurer, assume the obligations of the state as issuer of any bonds, notes or other obligations issued under any provision of the general statutes for projects or purposes relating to ports and harbors that remain outstanding, and thereafter to indemnify and release the state from all liability and expense relating to such obligations. Any such assumption by the authority and release of the state shall be subject to the terms and provisions of any indenture securing such bonds, notes or other obligations of the state and approval of the State Bond Commission.

(c) The authority shall further do all acts and things necessary by federal or state law, rule or regulation or relevant contractual requirements to effect the lease, assignment or transfer of ownership, jurisdiction or authority to control, operate and maintain the ports and harbors of the state in the manner deemed by the authority to be in its best interests whether by deed, lease, management contract, agency agreement, assignment or assumption, all to the extent contemplated by such memoranda of understanding. The Department of Transportation shall receive no compensation in consideration of any such leases, assignments or transfers. Upon satisfaction of all such requirements, the authority, from time to time, shall notify the Department of Transportation of its readiness to accept such leases, assignments or transfers with respect to the ports and harbors of the state and all documents and contracts necessary to effect such leases, assignments or transfers shall be executed.

Sec. 10. Subsection (a) of section 2 of public act 14-222 is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) There is established a Port Authority Working Group. Such working group shall prepare and submit recommendations to the Department of Economic and Community Development on the powers and duties of the board of directors of the Connecticut

Port Authority, established pursuant to section 1 of

[D>this act<D]

[A>public act 14-222<A]

, regarding: (1) Employment and personnel practices and policies, including those relating to hiring, promotion, compensation, retirement and collective bargaining; (2) issuance of bonds; (3) authority to acquire, lease, purchase, own, manage, hold and dispose of personal and real property; (4) authority to make and enter into contracts and agreements; and (5) any other powers, duties or functions of the Connecticut Port Authority. The Port Authority Working Group shall terminate

on

[D>October 1, 2015<D]

[A>July 1, 2015<A] .

Sec. 11. Section 3 of public act 14-222 is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

[A>(a)<A] The Commissioner of Economic and Community Development, after consultation with the Commissioner of Transportation, the Commissioner of Energy and Environmental Protection, the Secretary of the Office of Policy and Management and the Port Authority Working Group established pursuant to section 2 of [D>this act<D] [A>public act 14-222<A] , shall, within available appropriations, (1) develop a plan to transition the maritime functions of the Department of Transportation to the Connecticut Port Authority; (2) review and make recommendations for state policies that affect Connecticut's ports; (3) coordinate state, regional and local efforts to encourage the growth of Connecticut's ports; (4) develop a plan to transition the functions of the Connecticut Maritime Commission to the Connecticut Port Authority after the establishment of the Connecticut Port Authority; (5) develop a plan concerning the bonding authority of the Connecticut Port Authority; (6) develop a proposed business and operating plan for the consideration of the board of directors of the Connecticut Port Authority upon its creation; and (7) prepare and submit, on or before March 1, 2015, a report of activities, findings and recommendations concerning the establishment of the Connecticut Port Authority to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to commerce, transportation and the environment, in accordance with the provisions of section 11-4a of the general statutes.

[A>(b) On and after July 1, 2015, no further actions shall be required pursuant to this section.<A]

Sec. 12. Section 13b-51 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

[D>The commissioner<D]

[A>The Connecticut Port Authority<A] shall have jurisdiction over

the harbors [D>and navigable waterways<D] of the state, with all the powers and duties prescribed in this chapter [D>, in title 15,<D] and as otherwise provided by law. The powers and duties of all existing

harbor boards or boards of harbor commissioners under either the general statutes or special acts of this state shall be vested in

the

[D>commissioner<D]

[A>Commissioner of Energy and Environmental Protection<A] but all

such boards shall continue [D>in the department<D] to assist the commissioner in an

advisory capacity, and to perform such duties as

[D>he<D]

[A>the commissioner<A] may

delegate to them. Harbor masters and deputy harbor masters appointed by the Governor under section 15-1 shall be subject to the direction and control of the

commissioner, and shall be responsible to

[D>him<D]

[A>the commissioner<A] for the safe and efficient operation of the harbors over which

[D>they<D]

[A>the harbor masters and deputy

harbor masters<A] have jurisdiction. Nothing in this chapter shall be construed to limit or in any way derogate from the powers and authority of the Commissioner of Energy and Environmental Protection under title 25.

Sec. 13. Section 13b-53 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

The commissioner [A>and the Connecticut Port Authority<A] may, on behalf of the state, acquire, own, construct, maintain or operate, upon, at or near the seaboard or any navigable waterway, land, or any harbor, wharf, dock, pier, quay, canal, slip or basin, or any appropriate harbor facility, shed, warehouse of any kind, vault, railroad track, yard, terminal or equipment, or such other facility related to the

transportation of goods or people by water as

[D>he<D]

[A>the commissioner or the

authority, as appropriate,<A] deems necessary to the fulfillment of the purposes of this chapter. The commissioner, with the approval of the State Properties Review Board, the Office of Policy and Management and the Attorney General, may lease or grant any interest at the State Pier in New London or any navigation property owned or under the control of the Department of Transportation to any person

and

in any manner, as

[D>he<D]

[A>the commissioner<A] deems appropriate, except that after

initiating such approval, the commissioner may temporarily lease any such interest with the approval of the Secretary of the Office of Policy and Management. A temporary lease shall be effective only until a final decision is made by the Office of Policy and Management, the State Properties Review Board and the Attorney General. Leases of land of the state shall be for periods determined by the commissioner with the approval of the State Properties Review Board and may provide for the construction of buildings on the land. The commissioner [A>or the authority, as appropriate,<A] may confer the privilege of concessions of supplying, upon such facilities, goods, commodities, service and facilities.

Sec. 14. Section 13b-55a of the general statutes, as amended by section 8 of public act 14-222, is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) In addition to municipal requests for a grant-in-aid pursuant to section 13b-57, [A>as amended by this act,<A] harbor improvement projects may be initiated by

the

[D>Commissioner of Transportation<D]

[A>Connecticut Port Authority<A] on behalf of the

state or for the state on behalf of the federal government. Recommendations on the prioritization or inclusion of projects shall be submitted to the [D>commissioner by

the Connecticut Port Authority<D]

[A>board of directors of the authority by the executive director of the authority<A] . The

[D>department<D]

[A>authority<A] shall contract

for the provision of goods and services to harbors and waterways for such improvements, and shall provide the funding required under such contracts, except

that the

[D>commissioner<D]

[A>authority<A] may enter into agreements with other state

agencies or municipalities for such agencies or municipalities to provide the

funding for any of such contracts. The

[D>department<D]

[A>authority<A] shall administer

all contracts entered into under this section.

(b) All contracts are subject to final negotiation of the scope and budget for a given project. Contracting periods may vary depending on each project. Payments shall be made on a reimbursement basis for deliverables completed no later than the dates of service of an executed contract. Appropriate back-up information shall be included with each payment request indicating that services have been

rendered. The

[D>department<D]

[A>authority<A] may elect to provide part or all of the

funds necessary as an upfront payment, provided funds are held in a separate, noninterest bearing account and are expended not later than sixty days after such funds are provided.

(c) Harbor improvement projects include the preparation of plans, studies and construction for the alteration and improvement of various state, municipal and other properties in or adjacent to the waters of the state, for the purpose of improving the economy and infrastructure of the state.

Sec. 15. Section 13b-55b of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) There is established an account to be known as the "harbor improvement account" which shall be a separate, nonlapsing account within the General Fund. There shall be deposited in the account: (1) The proceeds of notes, bonds or other obligations issued by the state for the purpose of deposit therein and use in accordance with the permissible uses thereof; (2) funds appropriated by the

General Assembly for the purpose of deposit therein and

[D>use<D]

[A>used<A] in accordance

with the permissible uses thereof; and (3) any other funds required or permitted by law to be deposited in the account. The funds in said account shall be expended

by the

[D>Commissioner of Transportation<D]

[A>Connecticut Port Authority<A] for the

purpose of initiating harbor improvement projects in accordance with section 13b-55a and for the purposes described in subsection (b) of this section.

(b) The harbor improvement account may be used for federal dredging projects (1) to support, in full or in part, local and state matching requirements for such projects; (2) to cover the incremental costs associated with applicable environmental regulatory requirements or management practices, including beneficial use; and (3) to cover part or all of the costs of such projects in the absence of adequate federal funds. If any account funds are used for the purpose

described in subdivision (3) of this subsection, the

[D>commissioner<D]

[A>authority<A]

shall pursue reimbursement to the account from the federal government.

Sec. 16. Section 13b-56 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

[A>(a)<A] For the purposes of this section and section 13b-57, [A>as amended by this act,<A] "harbor improvement agency" means any board, commission, agency or department of any municipality designated by the chief executive officer of such municipality and approved by the governing body thereof for the purpose of carrying out a harbor improvement project under this section.

[A>(b)<A] Any municipality may undertake a harbor improvement project, including the development, improvement, construction and installation of berthing areas, channels to berthing areas, sea walls, piers, docks, navigation aids, bridges and other related facilities and structures, pursuant to a harbor improvement plan. The harbor improvement agency may prepare or cause to be prepared a harbor improvement plan, and may approve such plan after (1) obtaining the approval of the planning agency of the municipality, and (2) holding a public hearing thereon, notice of which shall be published at least twice in a newspaper of general circulation in the municipality, the first publication of notice to be not less than two weeks before the date of the public hearing.

[A>(c)<A] Such harbor improvement plan shall include:

[D>(a)<D]

[A>(1)<A] A description of the

harbor improvement area and the condition, type and use of the structures and

facilities therein;

[D>(b)<D]

[A>(2)<A] the location and extent of the proposed land uses and harbor uses in such area;

[D>(c)<D]

[A>(3)<A] the location and extent of streets and public utilities, facilities and works within the area;

[D](d)[D]

[A](4)[A] schedules

showing the number of families and businesses to be displaced by the proposed improvement, the method of relocating such families and businesses and the availability of sufficient suitable living accommodations at prices and rentals within the financial means of such families and located within a reasonable

distance of the area from which they are displaced;

[D](e)[D]

[A](5)[A] present and proposed zoning regulations in the harbor improvement area;

[D](f)[D]

[A](6)[A] a

description of all land to be acquired and buildings and improvements to be

demolished and removed or rehabilitated;

[D](g)[D]

[A](7)[A] a description of all improvements to be constructed, installed or made;

[D](h)[D]

[A](8)[A] the plan's relationship to definite local objectives;

[D](i)[D]

[A](9)[A] financial aspects of the project; and

[D](j)[D]

[A](10)[A] a ratio of the costs of the project to the benefits to be

derived therefrom.

[A](d)[A] After approval of the harbor improvement plan by the harbor improvement agency, the plan shall be submitted to the [D]Commissioner of Transportation[D] [A]Connecticut Port Authority[A] and the Commissioner of Energy and Environmental

Protection and, if approved by

[D]each[D]

[A]the authority and the[A] commissioner, may be

adopted by the governing body of the municipality. A harbor development plan may be modified at any time by a harbor improvement agency, provided such modification is consented to in writing by each purchaser or lessee of land in the harbor improvement project affected by such modification, and such

modification does not substantially change the plan; otherwise any modification to such plan shall be approved in the same manner as the plan. Any municipality and its harbor improvement agency may exercise, for the purposes of undertaking a harbor improvement project, all the powers and authority granted to a municipality and to a redevelopment agency for the purposes of a redevelopment or urban renewal project pursuant to chapter 130.

Sec. 17. Section 13b-57 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

The state, acting by and in the discretion of the [D>Commissioner of Transportation<D] [A>Connecticut Port Authority<A] , may enter into a contract with a municipality, or any federal or state agency acting on behalf of such municipality, for state financial assistance in the form of a state grant-in-aid for a harbor improvement project pursuant to section 13b-55a, provided such project is approved by the [D>Commissioner

of Transportation<D]

[A>authority<A] . Any such application for state financial

assistance under this section shall be submitted by the [D>Commissioner of

Transportation<D]

[A>authority<A] to the Commissioner of Energy and Environmental Protection for

[D>his<D]

[A>said commissioner's<A] review. Said

[D>Commissioner of Energy and Environmental Protection<D]

[A>commissioner<A] shall submit a written report to the [D>Commissioner of Transportation<D]

[A>authority<A] , setting forth

[D>his<D]

[A> said

commissioner's<A] findings regarding such application.

Sec. 18. Section 15-1 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

The Governor shall appoint a harbor master, and may appoint a deputy harbor master, for each of the

harbors of New Haven, Norwich, Bridgeport, Stamford, Norwalk, Stonington, New London and Branford, and may appoint a suitable number of harbor masters and deputy harbor masters in any town in this state which has navigable waters within its limits, provided the appointment of a harbor master or deputy harbor master for the harbor of any municipality which has adopted a harbor management plan, pursuant to chapter 444a, shall be made by the Governor from a list of not less than three nominees submitted by the municipality's harbor management commission. Appointments shall be for terms of three years from July first in the year of the appointment and until a successor is appointed and qualified except the term of office of any person appointed before or after July first in any year to a newly created office of harbor master or deputy harbor master shall begin on the day of the appointment and expire on July first next succeeding the completion of the person's third full year in office. Any appointment to fill a vacancy shall be for the remainder of the term of the original appointee and until a successor is appointed and qualified. Harbor masters shall have the general care and supervision of the harbors and navigable waterways over which they have jurisdiction, subject to the direction and control

of the Commissioner of

[D>Transportation<D]

[A>Energy and Environmental Protection<A] , and

shall be responsible to the commissioner for the safe and efficient operation of such harbors and navigable waterways in accordance with the provisions of this chapter. The harbor masters or deputy harbor masters shall exercise their duties in a manner consistent with any harbor management plan adopted pursuant to section 22a-113m for a harbor over which they have jurisdiction. The commissioner may delegate any of his powers and duties under this chapter to such harbor masters or to any existing board of harbor commissioners, but shall at all times be vested with responsibility for the overall supervision of the harbors and navigable waterways of the state.

Sec. 19. Section 15-7 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) The harbor master shall have the general care and supervision of Bridgeport Harbor and its tidewaters and its rivers and of all the flats and lands flowed thereby, and all other tidewaters, flats and rivers which are within the city limits of said city but are not adjacent to said harbor in order to limit, prevent and abate sources of water pollution, to prevent or remove any unauthorized encroachment and other obstruction which is likely to interfere with the full navigation of said harbor, or in any way injure its channels or cause any reduction in its tidewaters, or prevent, abate or remove any unauthorized landfills upon or affecting the tidewaters located within the city limits of Bridgeport. The harbor master shall exercise his responsibility in a manner consistent with any harbor management plan for the Bridgeport Harbor adopted pursuant to section 22a-113m.

(b) Each person who contemplates the building over said harbor and tidewaters of any bridge, wharf, pier dam or bulkheads, or the dredging or filling in of any flats or tidewaters, or the driving or placement of any piles, dolphins or bumpers below high-water mark shall, before beginning such work, give written

notice upon forms provided by said master of his intention to do such work to the Commissioner

of

[D>Transportation<D]

[A>Energy and Environmental Protection<A] and to said harbor master

and shall submit plans or drawings of any proposed wharf or any other structure, and of the flats to be dredged or filled, and of the mode in which the work is to be performed; and no such work shall be commenced until the plan or drawing and the mode of performing the same is approved in writing by the commissioner. The commissioner may reject or alter such plans at his discretion and prescribe the direction, limits and mode of building of the wharf and other structures, and all such works shall be executed under the supervision of the commissioner and the harbor master.

(c) Any erection made or work done in any manner not sanctioned by said commissioner, when his direction is required as hereinbefore provided, shall be deemed a public nuisance. Said commissioner may order suits in the name of the city and prevent or stop or abate, by injunction or otherwise, any such erection or other nuisance and such suits shall be conducted by and at the expense of the city of Bridgeport.

(d) Any person aggrieved by any action taken or order issued by said commissioner under authority of this section may within thirty days appeal to the superior court for the judicial district of Fairfield and said court shall take such action in the premises as equity may require.

(e) Any person who violates or assists in violating any of the provisions of subsection (b) of this section or any direction or order of the commissioner made pursuant thereto shall be guilty of a class C misdemeanor.

Sec. 20. Section 15-9 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) When the master or owner of any vessel lying within the navigable waters of this state, or the person having the same in charge, wilfully neglects or refuses to obey the order of any harbor master performing his duties under the provisions of this chapter, such harbor master may cause such vessel to be removed at the expense of the owner. Any such master, owner or person in violation of this section shall be deemed to have committed an infraction and shall be fined eighty-five dollars.

(b) A harbor master may notify any officer attached to an organized police department or any state police officer that a master or owner of a vessel is in violation of the provisions of subsection (a) of this section. Any such officer may remove and take such vessel into custody and shall give written notice by certified mail to the owner or master of such vessel, if known, which notice shall state (1) that the vessel has been taken into custody and stored, (2) the location of storage of the vessel, (3) that such vessel may be sold after fifteen days if the market value of such vessel does not exceed five hundred dollars or after ninety days if the value of such vessel exceeds five hundred dollars, and (4) that the owner has a right to

contest the validity of such taking by application, on a

form prescribed by the Commissioner of

[D>Transportation<D]

[A>Energy and Environmental

Protection<A] , to the hearing officer named in such notice within ten days from the date of such notice.

Such application forms shall be made readily available to the

public at all offices of the Department of

[D>Transportation<D]

[A>Energy and

Environmental Protection<A] and at all state and local police departments.

(c) The chief executive officer of each town may appoint a suitable person, who shall not be a member of any state or local police department, to be a hearing officer to hear applications to determine whether or not the taking was authorized under the provisions of this section. Two or more towns may join in appointing such officer; provided any such hearing shall be held at a location which is as near to the town where such vessel was located as is reasonable and practicable. The commissioner shall establish by regulation the qualifications necessary for hearing officers and procedures for the holding of such hearings. If it is determined at such hearing that the owner or master was in violation of subsection (a) of this section, the owner or master of such vessel shall be liable for any expenses incurred as a result of such removal, or the costs and expenses incident to such removal, including legal expenses and court costs incurred in such recovery. If it is determined at such hearing that the owner or master was not in violation of subsection (a) of this section, the owner or master of such vessel shall not be liable for any expenses incurred as a result of such removal or for the costs and expenses incident to such removal, including legal expenses and court costs incurred in such recovery. Any person aggrieved by the decision of such hearing officer may, within fifteen days of the notice of such decision, appeal to the superior court for the judicial district wherein such hearing was held.

(d) The state or local police department which has custody of the removed vessel shall have the power to sell such vessel at public auction in accordance with the provisions of this section. The state or local police department shall apply the avails of such sale toward the payment of its charges, any storage charges and the payment of any debt or obligation incurred by the officer who placed the same in storage. Such sale shall be advertised in a newspaper published or having a circulation in the town where such vessel is stored or other place is located three times, commencing at least five days before such sale; and, if the last place of abode of the owner of such vessel is known to or may be ascertained by the state or local police by the exercise of reasonable diligence, notice of the time and place of sale shall be given him by mailing such notice to him in a registered or certified letter, postage paid, at such last usual place of abode, at least five days before the time of sale. The state or local police department shall report the sales price, storing and towing charges, if any; buyer's name and address; identification

of the vessel and such other information as may be required in regulations which shall be adopted by the Commissioner of

[D>Transportation<D]

[A>Energy and Environmental Protection<A] in accordance with the

provisions of chapter 54, to the commissioner within fifteen days after the sale of the vessel. The proceeds of such sale, after deducting the amount due for any storage and all expenses connected with such sale, including the expenses of the officer who placed such vessel in storage, shall be paid to the owner of such vessel or his legal representatives, if claimed by him or them at any time within one year from the date of such sale. If such balance is not claimed within said period, it shall escheat to the municipality from which the vessel was removed. If the expenses incurred by the municipality for such removal and towing and the sale of such vessel and any fines exceed the proceeds of such sale, the owner of the vessel shall be liable for such excess amount. A vessel may not be sold in accordance with the provisions of this section until: (1) The expiration of the time period under subdivision (3) of subsection (b) of this section and (2) a final decision has been rendered in connection with an application filed pursuant to subdivision (4) of subdivision (b) of this section.

(e) The Commissioner of

[D>Transportation<D]

[A>Energy and Environmental Protection<A]

shall adopt regulations in accordance with the provisions of chapter 54, to carry out the provisions of this section.

Sec. 21. Section 15-11a of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) A duly authorized harbor master shall determine whether a vessel is a derelict

vessel. Upon such determination, the Commissioner of

[D>Transportation<D]

[A>Energy and

Environmental Protection<A] , such harbor master or a duly authorized representative of a municipality may cause such derelict vessel to be removed at the expense of any owner, agent or operator of such derelict vessel and may recover the expense of such removal, together with the costs and expenses incident to such removal, including legal expenses and court costs incurred in such recovery, from the owner, agent or operator of such vessel in an action founded upon this section. The last owner of record of such vessel shall be responsible for such vessel.

[D>After consultation with the Commissioner of Transportation, the<D]
[A>The<A]

Commissioner of Energy and Environmental Protection may consider any such vessel to be an encroachment subject to the provisions of sections 22a-359 to 22a-363f, inclusive.

(b) Prior to removing and taking such derelict vessel into custody, the

Commissioner of

[D>Transportation<D]

[A>Energy and Environmental Protection<A] , a duly

authorized harbor master or a duly authorized representative of a municipality shall make a reasonable attempt to notify the owner, agent or operator of the vessel and shall allow such owner, agent or operator to make arrangements for removal of the vessel. Such notification shall inform the owner, agent or operator that, pursuant to this section, if the vessel is not removed within twenty-four hours of notification, it shall be removed, taken into custody and stored at the owner's, agent's or operator's expense.

(c) Prior to removing a derelict vessel, the Commissioner of [D>Transportation<D] [A>Energy and Environmental Protection<A] , a duly authorized harbor master or a duly authorized representative of a municipality shall affix to such vessel a readily visible notification sticker. The notification sticker shall contain the following information: (1) The date and time the notification sticker was affixed to the vessel, (2) a statement that, pursuant to this section, if the vessel is not removed within twenty-four hours of the time the sticker was affixed, it shall be taken into custody and stored at the owner's expense, (3) the location and telephone number where additional information may be obtained, and (4) the identity of the person who affixed the sticker.

(d) If the derelict vessel is not removed by the owner, agent or operator within the time period provided in subsection (c) of this section, the Commissioner of

[D>Transportation<D]

[A>Energy and Environmental Protection<A] , a duly authorized harbor

master or a duly authorized representative of a municipality may direct that such vessel be removed and taken into custody and may cause the same to be stored in a suitable place.

(e) If a derelict vessel is removed and taken into custody pursuant to subsection

(d) of this section, the Commissioner of

[D>Transportation<D]

[A>Energy and Environmental

Protection<A] , a duly authorized harbor master or a duly authorized representative of a municipality shall give written notice, by certified mail, return receipt requested, to the owner, agent or operator of such vessel, if known, which notice shall state: (1) The vessel has been removed, taken into custody and stored, (2) the location from which the vessel was removed, and (3) that the vessel may be disposed of after fifteen days if the market value of such vessel, as determined by a certified marine surveyor, does not exceed two thousand dollars or that the vessel may be sold after ninety days, pursuant to the provisions of subsection (f) of this section.

(f) Ninety days or more after written notice has been given pursuant to subsection

(e) of this section, the Commissioner of

[D>Transportation<D]

[A>Energy and Environmental

Protection<A] , a duly authorized harbor master or a duly authorized representative of a municipality may sell a derelict vessel at public auction in accordance with the provisions of this section. The commissioner, harbor master or authorized agent of a municipality shall apply the proceeds of such sale toward the payment of its charges, any storage charges and the payment of any debt or obligation incurred by the commissioner, harbor master or agent who placed the vessel in storage. Such sale shall be advertised twice in a newspaper published or having a circulation in the town where such vessel is stored or is located, commencing at least five days before such sale; and, if the last place of abode of the owner, agent or operator of such vessel is known to or ascertained by the commissioner, harbor master or agent by the exercise of reasonable diligence, notice of the time and place of sale shall be given to such owner, agent or operator by sending such notice to the owner, agent or operator, by certified mail, return receipt requested, at such last place of abode at least five days before the day of the sale. The proceeds of such sale, after deducting any amount due for removal and storage charges and all expenses connected with such sale, shall be paid to the owner, agent or operator of such vessel or the owner's, agent's or operator's legal representatives, if claimed by the owner, agent or operator or the owner's, agent's or operator's legal representative at any time within one year from the date of such sale. If such balance is not claimed within said period, it shall escheat to the municipality from which the vessel was removed. If the expenses incurred by the commissioner, harbor master or agent for such removal and storage and sale of such vessel and any fines exceed the proceeds of such sale, the owner, agent or operator of the vessel shall be liable for such excess expenses.

(g) The Commissioner of

[D>Transportation<D]

[A>Energy and Environmental Protection<A] may

require the owner, agent or operator to furnish a performance bond in an amount sufficient to cover the estimated costs of removal as determined by the commissioner.

Sec. 22. Section 15-13 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) The

[D>Commissioner of Transportation<D]

[A>Connecticut Port Authority<A] shall license

as many residents of this state and any other state as said [D>commissioner<D] [A>authority<A] deems necessary and finds qualified to act as pilots for one year in any of the ports and waters of this state including the Connecticut waters of Long Island Sound. A license shall be denied to any person holding a license or

authority under the laws of any other state

[D>which<D]

[A>that<A] does not issue a license

or authority to pilots licensed by the [D>Connecticut Department of Transportation<D] [A>authority<A] .

Except as [D>hereinafter<D] provided [A>in this section<A] , no person shall be

so licensed unless

[D>he<D]

[A>such person<A] possesses a federal masters license and has

procured a federal first class pilot's license of unlimited tonnage issued by the United States Coast Guard covering the sections of the waters of this state for

which application is being made to said

[D>commissioner<D]

[A>authority<A] . Each applicant

for a license to act as a pilot for any port or waterway of the state including

the Connecticut waters of Long Island Sound shall document that

[D>he<D]

[A>such

applicant<A] has made the following passages on ocean-going vessels of not less than four thousand gross tons, through the port or waterway for which application is

being made during the thirty-six months immediately preceding

[D>his<D]

[A>such<A]

application: (1) Twelve round trips on American vessels under enrollment as pilot of record, on which the applicant is not a crew member; or (2) twenty-four round trips as observing pilot on foreign or registered vessels during which the applicant does the piloting work under the supervision and authority of a pilot licensed by this state, provided the applicant possesses a first class pilot's license issued by the United States Coast Guard for the port or waterway; or (3) any combination of the above requirements for trips, substituting two observer trips for each trip as pilot of record.

[A>(b) An extension of route for waters of this state including the Connecticut waters of Long Island Sound, for which application is being made by a pilot currently licensed by the authority for eastern Long Island Sound and at least one of the ports of New London, New Haven or Bridgeport, shall be granted provided the applicant (1) has procured a federal first class pilot's license of unlimited tonnage issued by the United States Coast Guard covering the sections of the waters of this state including the Connecticut waters of Long Island Sound, for which application for an extension of route is being made, and (2) can document that, within the thirty-six months immediately preceding such application, the applicant has made six round trips through the port or waterway for which application is being made as observing pilot on vessels under enrollment or vessels under register subject to compulsory pilotage under sections 15-15 and 15-15c, during which the applicant does the piloting work under the supervision and authority of a pilot licensed by this state.<A]

[D>(b)<D]

[A>(c)<A] Each pilot shall, upon the granting of

[D>his<D]

[A>a<A] license, pay a fee of thirty dollars to said

[D>commissioner<D]

[A>authority<A] and shall give a bond of one thousand dollars to the

[D>State<D] Treasurer and

[D>his<D]

[A>the Treasurer's<A] successors in office, with surety, to the acceptance of the

[D>commissioner<D]

[A>authority<A] ,

conditioned for the faithful performance of his [A>or her<A] duties as a pilot, upon which bond suit may be brought in the name of said Treasurer for the benefit of any person who may suffer loss or damage,

by reason of the ignorance, neglect or

misconduct of such pilot in the discharge of

[D>his<D]

[A>such pilot's<A] duties. The

[D>commissioner<D]

[A>authority<A] shall increase such fee by fifty per cent July 1, 1985,

by an additional fifty per cent effective July 1, 1989, by an additional twenty-five per cent effective July 1, 1991, and by an additional twenty-five per cent effective July 1, 1993.

[D>(c)<D]

[A>(d)<A] Each license shall expire on the last day of December following its

issuance and may be renewed upon application and payment of the fee required by

subsection

[D>(b)<D]

[A>(c)<A] of this section, renewal of the bond required undersubsection

[D>(b)<D]

[A>(c)<A] of this section and proof of current federal licensure as

required in subsection (a) of this section.

[D>(d)<D]

[A>(e)<A] The

[D>Commissioner of Transportation<D]

[A>authority<A] shall keep a record of

each license and, if requested, shall furnish a certificate of such license.

[D>(e)<D]

[A>(f)<A] Said

[D>commissioner<D]

[A>authority<A] may suspend or revoke any pilot's

license for (1) incompetence, (2) neglect of duty, (3) misconduct or (4) using a vessel owned or operated by a person who has not obtained a certificate of compliance under the provisions of section 15-15e [A], as amended by this act,<A] for the purpose of embarking or disembarking another vessel in open and unprotected

waters. Any person aggrieved by the action of said

[D>commissioner<D]

[A>authority<A] under

the provisions of this subsection may appeal therefrom in accordance with the provisions of section 4-183.

[D>(f)<D]

[A>(g)<A] Any pilot who has been away from duty for a period of not less than six

months, or who has not completed a passage through any port or waterway for which

[D>he<D]

[A>such pilot<A] is licensed during such period, shall be placed on inactivestatus.

[D>Said<D]

[A>Such<A] pilot shall complete at least one round trip over the port or waterway for which

[D>he<D]

[A>such pilot<A] is licensed before resuming his

[A>or her<A]

duties as a pilot. The refresher passages shall be made in the company of an

active pilot licensed by the state.

[D>Said<D]

[A>Such<A] pilot, before resuming

[D> his<D] pilotage duties, shall submit to the

[D>commissioner<D]

[A>authority<A] a list of completed

refresher passages, including the name, gross tons and draft of each vessel involved, a description and

date of each passage and the name of the attending pilot.

[D>(g)<D]

[A>(h)<A] The

[D>commissioner<D]

[A>authority<A] may issue limited licenses pursuant to

this section. Such licenses may be limited according to a pilot's qualifications for operating a vessel, which shall include, but not be limited to, the type, size, gross tonnage or draft of a vessel.

[D>(h)<D]

[A>(i)<A] The

[D>commissioner shall adopt regulations, in accordance with the provisions of chapter 54<D]

[A>authority shall adopt written procedures, in accordance

with section 1-121<A], to carry out the purposes of this section.

Sec. 23. Section 15-13c of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) There is created within the

[D>Department of Transportation<D]

[A>Connecticut Port

Authority<A], for administrative purposes only, the Connecticut Pilot Commission to

assist and advise the

[D>Commissioner of Transportation<D]

[A>authority<A] on matters

relating to the licensure of pilots, the safe conduct of vessels and the protection of the ports and waters of the state, including the waters of Long Island Sound.

(b) The commission shall consist of nine members, one of whom shall be the

[D>Commissioner of Transportation or the commissioner's<D]

[A>executive director of the

authority or the executive director's<A] designee and one of whom shall be an active licensed pilot in this state operating on the Connecticut side of the rotation system for the assignment of pilots. The pilot member shall be designated by a simple majority vote of pilots operating on the Connecticut side of the rotation system for the assignment of pilots. The remaining seven members shall be appointed as follows: The Governor shall appoint one member representing a maritime-related industry, which industry shall not include a recreational industry; the president pro tempore of the Senate shall appoint one member representing the public with an interest in the environment who does not have an economic interest in the subject matters of the commission; the majority leader of the Senate shall appoint one member representing the public with an interest in the environment who does not have an economic interest in the subject matters of the commission; the minority leader of the Senate shall appoint one member who shall be a retired ship's master or captain; the speaker of the House of Representatives shall appoint one member representing a maritime-related industry, which industry shall not include a recreational industry; the majority leader of the House of Representatives shall appoint one member representing a maritime-related industry from a shipping agent perspective; the minority leader of the House of Representatives shall appoint one member with an expertise in the area of admiralty law. Each member shall be a resident of the state, provided no member shall be an active licensed pilot, except the one active Connecticut licensed pilot operating in and designated by a simple majority of pilots operating on the Connecticut side of the rotation system for the assignment of pilots. Members shall receive no compensation for the performance of their duties.

(c) On or before July 1, 1992, in accordance with the provisions of subsection (b) of this section (1) the Governor, the speaker of the House of Representatives and the majority leader of the Senate shall each appoint one member who shall serve until July 1, 1996; (2) the president pro tempore of the Senate, the majority leader of the House of Representatives and the minority leader of the House of Representatives shall each appoint one member who shall serve until July 1, 1995; and (3) the minority leader of the Senate shall appoint one member who shall serve until July 1, 1994. Thereafter, members shall serve for a term of four years and any vacancies on the commission shall be filled for the remainder of the term in the same manner as the original appointment.

(d) The Governor shall appoint the chairperson of the commission who shall not be

an employee of the

[D>Department of Transportation<D]

[A>Connecticut Port Authority<A] . The

commission shall elect a vice-chairperson and any other officers that it deems necessary from among its membership. The powers of the commission shall be vested in and exercised by not less than five members serving on the commission. This number shall constitute a quorum and the affirmative vote of five members present at a meeting of the commission shall be necessary for any action taken by the commission.

(e) The commission shall, subject to the approval of the [D>commissioner in his<D] [A>authority in such authority's<A] sole discretion, set: (1) The required qualifications of pilots for eligibility for licensure, including background, training, length of service and apprenticeship; (2) examination requirements for obtaining a pilot's or other type of operating license; and (3) the appropriate number of state-licensed pilots necessary for the safe, efficient and proper operations in the ports and waters of the state, including the waters of Long Island Sound. In setting these requirements, the commission may not consider the licenses of pilots by other jurisdictions as a disqualifying factor.

(f) The commission shall advise the

[D>commissioner<D]

[A>authority<A] on (1) the

establishment of fair and reasonable rates of pilotage, pursuant to section 15-14, [A>as amended by this act,<A] including establishment of a hearing process for the setting of fair and reasonable rates of pilotage and licensure fees; (2) the policy of the state on the establishment of a rotation system for the assignment of pilots; (3) the policy of the state on the issuance of reciprocal licenses to pilots licensed in other states; (4) the enhancement of safety and protection of the marine environment during the operation of vessels and the prevention of oil spills and other marine incidents; (5) the proper equipment required on a vessel and the operation of vessels used by pilots for embarkation and disembarkation; (6) the designation of pilot boarding stations; (7) the proper safety equipment provided by vessels to enable pilots to safely board vessels; (8) the state's policy relative to matters of interstate pilotage; and (9) any other matter

requested by the

[D>commissioner<D]

[A>authority<A] .

(g) The commission shall: (1) Assist in the preparation of examinations for pilot licensure and other operating certificates; (2) evaluate the examination results of applicants for a pilot license and make appropriate recommendations concerning such applicants' qualifications; (3) assist in the review and monitoring of the performance of pilots, including compliance with state policies, procedures and regulations; (4) review applications for reciprocal licensure and make appropriate recommendations concerning such pilots' qualifications; (5) recommend the duties of pilots for the reporting of faulty pilot boarding and disembarkation systems and of violations of any state laws; (6) review and investigate any marine incident or casualty and conduct hearings to determine the causes of any such incident; (7) investigate and make recommendations on disciplinary measures, including such measures as letters of caution, admonition or reprimand and licensure suspension or forfeiture, including disciplinary matters relative to alcohol or drug abuse; (8) retain an independent investigator to compile a comprehensive factual record of any marine incident or casualty; (9) assist in the

review of complaints filed with the

[D>commissioner<D]

[A>authority<A] ; and (10) assist in

the preparation of any report or matter relative to pilotage.

(h) Nothing in this section shall supersede the authority of the [D>commissioner<D] [A>Connecticut Port Authority<A] with respect to licensing marine pilots as specified in section 15-13 [A>, as amended by this act<A] .

Sec. 24. Section 15-14 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

The

[D>Commissioner of Transportation<D]

[A>Connecticut Port Authority<A] shall establish

the rates of pilotage for all vessels which use a licensed pilot in the ports and waters of this state including the Connecticut waters of Long Island Sound.

Sec. 25. Section 15-15a of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

[D>The Commissioner of Transportation shall promulgate such regulations respecting the conduct and duties of licensed pilots and the piloting, docking and undocking

of vessels, as he<D]

[A>All existing regulations of the Department of Transportation

respecting the conduct and duties of licensed pilots and the piloting, docking and undocking of vessels shall become duly written procedures of the Connecticut Port Authority, effective July 1, 2016. After said date, any modification to the written procedures or additional written procedures respecting the conduct and duties of licensed pilots and the piloting, docking and undocking of vessels shall be adopted by the authority in accordance with the provisions of section 1-121, as the authority<A] deems necessary for the protection of property, public safety and the effective administration of sections 15-13, [A>as amended by this act,<A] 15-14,[A>as amended by this act,<A] 15-15 and 15-15b [A>, as amended by this act<A] .

Sec. 26. Section 15-15b of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

Once every three months, each licensed pilot shall render to the [D>Commissioner of

Transportation<D]

[A>Connecticut Port Authority<A] an accurate account of all vessels piloted by

[D>him<D]

[A>such pilot<A] . Any pilot who makes a false return shall be subject

to suspension or revocation of his [A>or her<A] license as provided in section 15-13 [A>, as amended by this act<A] .

Sec. 27. Section 15-15d of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) Pilotage on Long Island Sound shall be concurrent with the state of New York.

(b) The

[D>Commissioner of Transportation<D]

[A>Connecticut Port Authority<A] may execute

an agreement with the pilot commission of any other state for the establishment of a rotation system for the assignment of pilots for the conduct of vessels in the ports and waters of the state, including the waters of Long Island Sound.

Sec. 28. Section 15-15e of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) An owner or operator of a vessel used to transport a pilot licensed under the provisions of section 15-13 [A>, as amended by this act,<A] for the purpose of embarking or disembarking another vessel in open and unprotected waters shall obtain a certificate of insurance from an insurance carrier based on a survey conducted and documented by a qualified marine surveyor. Marine surveyors shall be guided by applicable United States Coast Guard regulations, if any, and standards set by insurance companies for the insurability of such vessel. [D>The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, that specify (1) the procedures for embarkation and disembarkation of pilots, and (2) the operation of and equipment required on each such vessel. Such regulations<D] [A>All existing regulations of the Department of Transportation that specify procedures for embarkation and disembarkation of pilots and the operation of and equipment required on each such vessel, shall become duly adopted written procedures of the Connecticut Port Authority, effective July 1, 2016. After said date, any modification to the written procedures or additional written procedures that specify (1) the procedures for embarkation and disembarkation of pilots, and (2) the operation of and equipment required on each such vessel shall be adopted by the authority in accordance with the provisions of section 1-121. Such written procedures<A] may establish standard rates for the use of each such vessel

for such purpose. For the purposes of this subsection, "open and unprotected waters" means waters located east of the area depicted on the National Oceanic and Atmospheric Administration charts of the eastern portion of Long Island Sound as "The Race".

(b) Any person who fails to comply with subsection (a) of this section or any

[D>regulation<D]

[A>written procedures<A] adopted thereunder shall be fined not less than

five hundred dollars nor more than one thousand dollars.

Sec. 29. Section 15-25 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

Any person who removes, damages or destroys any buoy, beacon, channel marker or floating guide placed in the waters of this state by [A>the proper exercise of the<A]

authority of the

[D>Commissioner of Transportation<D]

[A>state<A] or the harbor master of

any harbor, or moors or in any manner attaches any boat, vessel or raft of any kind to such buoy, beacon, channel marker or floating guide, unless his life, or the safety of the vessel in which he is, is endangered, or cuts down, removes, damages or destroys any beacon or navigational aid erected on land in this state, shall be fined not more than one thousand dollars.

Sec. 30. Section 15-140d of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

No person shall place or cause to be placed any marker, raft, dockslip, ski jump or similar structure upon the state's waters so as to create an obstruction or menace to navigation or a hindrance to the public use of such waters. If the

Commissioner of

[D>Transportation<D]

[A>Energy and Environmental Protection<A] determinesthat any such structure constitutes a hazard in tidal waters,

[D>he<D]

[A>the

commissioner<A] may order the owner to dismantle or remove the structure or to take other measures to eliminate the danger. If the [D>Commissioner of Energy and

Environmental Protection<D]

[A>commissioner<A] determines that any such structure constitutes such a hazard in the state's waters other than tidal waters,

[D>he<D]

[A>the

commissioner<A] may order the owner to dismantle or remove the structure or to take other measures to eliminate the danger.

Sec. 31. Section 22a-113m of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

The commission, in consultation with the

[D>Commissioners<D]

[A>Commissioner<A] of Energy and Environmental Protection and

[D>Transportation<D]

[A>the Connecticut Port Authority<A] ,

shall prepare or cause to be prepared a management plan for the most desirable use of the harbor for recreational, commercial, industrial and other purposes. For those towns in the coastal area, as defined in section 22a-94, the plan shall provide for the preservation and use of the coastal resources of the harbor in a manner consistent with the provisions of sections 22a-90 to 22a-111, inclusive, and any municipal coastal plan adopted pursuant to section 22a-101 by any municipality that is a member of the commission. A copy of the plan shall be forwarded to the U. S. Army Corps of Engineers for review, comments and recommendations. Such plan shall be submitted for approval to the [D>Commissioners of

Energy and Environmental Protection and Transportation<D]

[A>commissioner and the authority<A] . Said

[D>commissioners<D]

[A>commissioner and authority<A] shall act on the plan

not more than sixty days after submission of such plan. Upon approval by said

[D>commissioners<D]

[A>commissioner and authority<A] , the plan may be adopted by ordinance

by the legislative body of each municipality establishing the commission. The ordinance shall specify the effective date of the plan. A modification to the plan may be proposed at any time and shall be approved in the same manner as the plan. The plan shall be reviewed annually by the commission [A>,<A] [D>and<D] the [D>Commissioners

of Energy and Environmental Protection and Transportation<D] [A>commissioner and the

authority<A] .

Sec. 32. Subsection (a) of section 22a-337 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) The Commissioner of Energy and Environmental Protection, in consultation with the Commissioner of Public Health, is authorized, as the representative of the state of Connecticut, to negotiate, cooperate and enter into agreements or compacts with authorized agencies representing any one or more states or commonwealths, or the United States, or any combination thereof, relative to flood control, river and harbor improvements or obstructions, navigation, pollution of interstate waters, diversion of interstate waters, and the use of such interstate waters by any agency of the United States, or any one or more states or commonwealths, which will tend to increase the hazard of damage to persons or property located or situated in this state by reason of flood waters or which will in any way interfere adversely with the navigability of any stream or river located wholly or partially within this state during periods of low flow in the main stream or any of its tributaries. With respect to matters relating to river and harbor improvements and the navigability of streams or rivers, the

Commissioner of Energy and Environmental Protection [D>shall<D] [A>may, as appropriate,<A]

request and consider recommendations of the Commissioner of Transportation [A>and the board of directors of the Connecticut Port Authority<A] .

Sec. 33. Section 22a-340 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

The commissioner shall have the power and authority, after a public hearing, subject to the issuance of a permit by the corps of engineers of the United States army, to designate and lay out channels and boat basins in lands under tidal and coastal waters for the purpose of providing access to and from deep water to uplands adjacent to or bordering on tidal and coastal waters and for the improvement of coastal and inland navigation by vessels, including small craft for recreational purposes with due regard for the

recreational, commercial and navigational needs of the state. The commissioner shall promptly give written

notice to the

[D>Commissioner of Transportation<D]

[A>Connecticut Port Authority<A] of any

proceeding under this section, and shall consider such recommendations as the

[D>Commissioner of Transportation<D]

[A>authority<A] may submit to

[D>him within<D]

[A> the

commissioner not later than<A] thirty days after the conclusion of public hearings

thereon. The

[D>Commissioner of Transportation<D]

[A>board of directors of the

Connecticut Port Authority<A] is authorized to initiate proceedings under this section.

Sec. 34. Subsection (b) of section 22a-359 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(b) After consultation with the

[D>Commissioner of Transportation<D]

[A>Connecticut Port

Authority<A] , the Commissioner of Energy and Environmental Protection may consider any sunken or grounded vessel, scow, lighter or similar structure lying within the tidal, coastal or navigable waters of the state to be an encroachment subject to the provisions of this section and sections 22a-360 to 22a-363, inclusive.

Sec. 35. Subsection (b) of section 22a-361 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(b) The commissioner, at least thirty days before approving or denying an application for a permit, shall provide or require the applicant to provide notice by certified mail, return receipt requested, or by electronic means to the

applicant, to the

[D>Commissioner of Transportation<D]

[A>Connecticut Port Authority, as

appropriate<A] , the Attorney General and the Commissioner of Agriculture and to the chief executive officer, the chairmen of the planning, zoning, harbor management and shellfish commissions of each town in which such structure, fill, obstruction, encroachment or dredging is to be located or work to be performed, and to the owner of each franchised oyster ground and the lessee of each leased oyster ground within which such work is to be performed and shall publish such notice once in a newspaper having a substantial circulation in the area affected. Such notice shall contain (1) the name of the applicant; (2) the location and nature of the proposed activities; (3) the tentative decision regarding the application; and (4) any additional information the commissioner deems necessary. There shall be a comment period following the public notice during which interested persons may submit written comments. The commissioner may hold a public hearing prior to approving or denying an application if, in the commissioner's discretion, the public interest will best be served by holding such hearing. The commissioner shall hold a public hearing if the commissioner receives: (A) A written request for such public hearing from the applicant, or (B) a petition, signed by twenty-five or more persons requesting such public hearing on an application. Following such notice and comment period and public hearing, if applicable, the commissioner may, in whole or in part, approve, modify and approve or deny the application. The commissioner shall provide to the applicant and the persons set forth above, by certified mail, return receipt requested, or by electronic means, notice of the commissioner's decision. If the commissioner requires the applicant to provide the notice specified in this subsection, the applicant shall certify to the commissioner, not later than twenty days after providing such notice, that such notice has been provided in accordance with this subsection. Any person who is aggrieved by the commissioner's final decision on such application may appeal such decision to the Superior Court in accordance with section 4-183.

Sec. 36. Subdivision (12) of section 1-79 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(12) "Quasi-public agency" means Connecticut Innovations, Incorporated, the Connecticut Health and Education Facilities Authority, the Connecticut Higher Education Supplemental Loan Authority, the Connecticut Student Loan Foundation, the Connecticut Housing Finance Authority, the State Housing Authority, the Materials Innovation and Recycling Authority, the Capital Region Development Authority, the Connecticut Lottery Corporation, the Connecticut Airport Authority, the Connecticut Health Insurance Exchange, the Connecticut Green Bank [A>, the Connecticut Port Authority,<A] and the State Education Resource Center.

Sec. 37. Subdivision (1) of section 1-120 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(1) "Quasi-public agency" means Connecticut Innovations, Incorporated, the Connecticut Health and

Educational Facilities Authority, the Connecticut Higher Education Supplemental Loan Authority, the Connecticut Student Loan Foundation, the Connecticut Housing Finance Authority, the Connecticut Housing Authority, the Materials Innovation and Recycling Authority, the Capital Region Development Authority, the Connecticut Lottery Corporation, the Connecticut Airport Authority, the Connecticut Health Insurance Exchange, the Connecticut Green Bank [A>, the Connecticut Port Authority<A] and the State Education Resource Center.

Sec. 38. Section 1-124 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) Connecticut Innovations, Incorporated, the Connecticut Health and Educational Facilities Authority, the Connecticut Higher Education Supplemental Loan Authority, the Connecticut Student Loan Foundation, the Connecticut Housing Finance Authority, the Connecticut Housing Authority, the Materials Innovation and Recycling Authority, the Connecticut Airport Authority, the Capital Region Development Authority, the Connecticut Health Insurance Exchange, the Connecticut Green Bank [A>, the Connecticut Port Authority<A] and the State Education Resource Center shall not borrow any money or issue any bonds or notes which are guaranteed by the state of Connecticut or for which there is a capital reserve fund of any kind which is in any way contributed to or guaranteed by the state of Connecticut until and unless such borrowing or issuance is approved by the State Treasurer or the Deputy State Treasurer appointed pursuant to section 3-12. The approval of the State Treasurer or said deputy shall be based on documentation provided by the authority that it has sufficient revenues to (1) pay the principal of and interest on the bonds and notes issued, (2) establish, increase and maintain any reserves deemed by the authority to be advisable to secure the payment of the principal of and interest on such bonds and notes, (3) pay the cost of maintaining, servicing and properly insuring the purpose for which the proceeds of the bonds and notes have been issued, if applicable, and (4) pay such other costs as may be required.

(b) To the extent Connecticut Innovations, Incorporated, the Connecticut Higher Education Supplemental Loan Authority, the Connecticut Housing Finance Authority, the Connecticut Housing Authority, the Materials Innovation and Recycling Authority, the Connecticut Health and Educational Facilities Authority, the Connecticut Student Loan Foundation, the Connecticut Airport Authority, the Capital Region Development Authority, the Connecticut Health Insurance Exchange, the Connecticut Green Bank [A>, the Connecticut Port Authority<A] or the State Education Resource Center is permitted by statute and determines to exercise any power to moderate interest rate fluctuations or enter into any investment or program of investment or contract respecting interest rates, currency, cash flow or other similar agreement, including, but not limited to, interest rate or currency swap agreements, the effect of which is to subject a capital reserve fund which is in any way contributed to or guaranteed by the state of Connecticut, to potential liability, such determination shall not be effective until and unless the State Treasurer or his or her deputy appointed pursuant to section 3-12 has approved such agreement or agreements. The approval of the State Treasurer or his or her deputy shall be based on documentation provided by the authority that it has sufficient revenues to meet the financial obligations associated with

the agreement or agreements.

Sec. 39. Section 1-125 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

The directors, officers and employees of Connecticut Innovations, Incorporated, the Connecticut Higher Education Supplemental Loan Authority, the Connecticut Housing Finance Authority, the Connecticut Housing Authority, the Materials Innovation and Recycling Authority, including ad hoc members of the Materials Innovation and Recycling Authority, the Connecticut Health and Educational Facilities Authority, the Connecticut Student Loan Foundation, the Capital Region Development Authority, the Connecticut Airport Authority, the Connecticut Lottery Corporation, the Connecticut Health Insurance Exchange, the Connecticut Green Bank[A>, the Connecticut Port Authority<A] and the State Education Resource Center and any person executing the bonds or notes of the agency shall not be liable personally on such bonds or notes or be subject to any personal liability or accountability by reason of the issuance thereof, nor shall any director or employee of the agency, including ad hoc members of the Materials Innovation and Recycling Authority, be personally liable for damage or injury, not wanton, reckless, wilful or malicious, caused in the performance of his or her duties and within the scope of his or her employment or appointment as such director, officer or employee, including ad hoc members of the Materials Innovation and Recycling Authority. The agency shall protect, save harmless and indemnify its directors, officers or employees, including ad hoc members of the Materials Innovation and Recycling Authority, from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of alleged negligence or alleged deprivation of any person's civil rights or any other act or omission resulting in damage or injury, if the director, officer or employee, including ad hoc members of the Materials Innovation and Recycling Authority, is found to have been acting in the discharge of his or her duties or within the scope of his or her employment and such act or omission is found not to have been wanton, reckless, wilful or malicious.

Sec. 40. Subsection (b) of section 13b-69 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(b) The remaining resources of the Special Transportation Fund shall, pursuant to appropriation thereof in accordance with chapter 50 and subject to approval by the Governor of allotment thereof, be applied and expended for (1) payment of the principal of and interest on "general obligation bonds of the state issued for transportation purposes", as defined in subsection (c) of this section, or any obligations refunding the same, (2) payment of state budget appropriations made to or for the Department of Transportation and the Department of Motor Vehicles, [D>and<D] (3) payment of state budget appropriations made to or for the Department of Emergency Services and Public Protection for members of the Division of State Police designated by the Commissioner of Emergency Services and Public Protection for motor patrol work pursuant to section 29-4, except that (A) for the fiscal years commencing on or after July 1, 1998, excluding the highway motor patrol budgeted expenses, and (B) for the fiscal years commencing on or after July 1, 1999, excluding the highway motor patrol fringe benefits [A>, (4) payment to the Department of Energy and Environmental Protection for purposes of

regulation and enforcement of chapter 268, and (5) payment to the Department of Social Services for purposes of the transportation for employment independence program<A] .

Sec. 41. Subsection (a) of section 4-66aa of the general statutes, as amended by section 93 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(a) There is established, within the General Fund, a separate, nonlapsing account to be known as the "community investment account". The account shall contain any moneys required by law to be deposited in the account. The funds in the account shall be distributed every three months as follows: (1) Ten dollars of each fee credited to said account shall be deposited into the agriculture sustainability account established pursuant to section 4-66cc and, then, of the remaining funds, (2) twenty-five per cent to the Department of Economic and Community Development

to use as follows: (A)

[D>Two hundred<D]

[A>Three hundred eighty<A] thousand dollars,

annually, to supplement the technical assistance and preservation activities of the Connecticut Trust for Historic Preservation, established pursuant to special act 75-93, and (B) the remainder to supplement historic preservation activities as provided in sections 10-409 to 10-415, to sections 10-409 to 10-415, inclusive; (3) twenty-five per cent to the Department of Housing to supplement new or existing affordable housing programs; (4) twenty-five per cent to the Department of Energy and Environmental Protection for municipal open space grants; and (5) twenty-five per cent to the Department of Agriculture to use as follows: (A) Five hundred thousand dollars annually for the agricultural viability grant program established pursuant to section 22-26j; (B) five hundred thousand dollars annually for the farm transition program established pursuant to section 22-26k; (C) one hundred thousand dollars annually to encourage the sale of Connecticut-grown food to schools, restaurants, retailers and other institutions and businesses in the state; (D) seventy-five thousand dollars annually for the Connecticut farm link program established pursuant to section 22-26 l; (E) forty-seven thousand five hundred dollars annually for the Seafood Advisory Council established pursuant to section 22-455; (F) forty-seven thousand five hundred dollars annually for the Connecticut Farm Wine Development Council established pursuant to section 22-26c; (G) twenty-five thousand dollars annually to the Connecticut Food Policy Council established pursuant to section 22-456; and (H) the remainder for farmland preservation programs pursuant to chapter 422. Each agency receiving funds under this section may use not more than ten per cent of such funds for administration of the programs for which the funds were provided.

Sec. 42. Section 32-4 l of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) (1) The Department of Economic and Community Development shall establish a first five plus program to encourage business expansion and job creation. As part of said program, the department may provide substantial financial assistance to up

to fifteen eligible business development projects by June 30,
[D>2015<D]
[A>2016<A] .

(2) A business development project eligible for financial assistance under the first five plus program shall commit, in the manner prescribed by the Commissioner of Economic and Community Development, to (A) create not less than two hundred new jobs within twenty-four months from the date such application is approved; or (B) invest not less than twenty-five million dollars and create not less than two hundred new jobs not later than five years after the date such application is approved.

(3) The Commissioner of Economic and Community Development may give preference to a business development project that (A) involves the relocation of an out-of-state or international manufacturer or corporate headquarters, (B) involves the relocation of jobs that are outside the United States to the state, or (C) is a redevelopment project if the commissioner believes such redevelopment project will create jobs sooner than the schedule set forth in subdivision (2) of this subsection.

(4) The Commissioner of Economic and Community Development may, in awarding financial assistance to an eligible business development project, work with Connecticut Innovations, Incorporated, to secure financing for such project.

(5) The Commissioner of Economic and Community Development shall certify to the Governor for his or her approval that a business development project applicant has satisfied all the eligibility criteria in the program. Financial assistance awarded through the first five plus program shall be with the written consent of the Governor.

(b) Financial assistance for the first five plus program for eligible business development projects shall be exempt from the provisions of subsection (c) of section 32-223, section 32-462, subsection (q) of section 32-9t and, at the commissioner's discretion, section 12-211a for the fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014, [D>and<D] June 30, 2015 [A>, June 30, 2016, and June 30, 2017<A] .

(c) The commissioner may take such action as the commissioner deems necessary or appropriate to enforce such commitment, including, but not limited to, establishing terms and conditions for the repayment of any financial assistance awarded pursuant to the provisions of this section.

(d) On or before September 1, 2013, January 1, 2014, September 1, 2014, January 1, 2015, [D>and<D] September 1, 2015, [A>January 1, 2016, and September 1, 2016,<A] the Commissioner of Economic and Community Development shall report in accordance with the provisions of section 11-4a to the joint standing committees of the General Assembly having cognizance of matters relating to commerce and finance, revenue and bonding on the projects funded through the first five plus program, the number of jobs created and the impact on the economy of this state.

Sec. 43. Subsection (b) of section 38a-488a of the general statutes, as amended by section 1 of public act 15-226, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(b) Each individual health insurance policy providing coverage of the type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469 delivered, issued for delivery, renewed, amended or continued in this state shall provide benefits for the diagnosis and treatment of mental or nervous conditions.

Benefits payable include, but need not be limited to:

- (1) General inpatient hospitalization, including in state-operated facilities;
- (2) Medically necessary acute treatment services and medically necessary clinical stabilization services;
- (3) General hospital outpatient services, including at state-operated facilities;
- (4) Psychiatric inpatient hospitalization, including in state-operated facilities;
- (5) Psychiatric outpatient hospital services, including at state-operated facilities;
- (6) Intensive outpatient services, including at state-operated facilities;
- (7) Partial hospitalization, including at state-operated facilities;
- (8) Evidence-based maternal, infant and early childhood home visitation services, as described in Section 2951 of the Patient Protection and Affordable Care Act, P. L. 111-148, as amended from time to time, that are designed to improve health outcomes for pregnant women, postpartum mothers and newborns and children, including, but not limited to, for maternal substance use disorders or depression and relationship-focused interventions for children with mental or nervous conditions or substance use disorders;
- (9) Intensive, home-based services designed to address specific mental or nervous conditions in a child [A>;<A] [D>while remediating problematic parenting practices and addressing other family and educational challenges that affect the child's and family's ability to function;<D]
- [D>(10) Intensive, family-based and community-based treatment programs that focus on addressing environmental systems that impact chronic and violent juvenile offenders;<D]

[D>(11)<D]

[A>(10)<A] Evidence-based family-focused therapy that specializes in the

treatment of juvenile substance use disorders [A>;<A] [D>and delinquency;<D]

[D>(12)<D]

[A>(11)<A] Short-term family therapy intervention

[A>;<A]

[D>and juvenile diversion

programs that target at-risk children to address adolescent behavior problems, conduct disorders, substance use disorders and delinquency;<D]

[D>(13) Other home-based therapeutic interventions for children;<D]

[D>(14) Chemical maintenance treatment, as defined in section 19a-495-570 of the regulations of Connecticut state agencies;<D]

[D>(15)<D]

[A>(12)<A] Nonhospital inpatient detoxification;

[D>(16)<D]

[A>(13)<A] Medically monitored detoxification;

[D>(17)<D]

[A>(14)<A] Ambulatory detoxification;

[D>(18)<D]

[A>(15)<A] Inpatient services at psychiatric residential treatment facilities;

[D>(19) Extended day treatment programs, as described in section 17a-22;<D]

[D>(20)<D]

[A>(16)<A] Rehabilitation services provided in residential treatment facilities,

general hospitals, psychiatric hospitals or psychiatric facilities;

[D>(21)<D]

[A>(17)<A] Observation beds in acute hospital settings;

[D>(22)<D]

[A>(18)<A] Psychological and neuropsychological testing conducted by an appropriately licensed health care provider;

[D>(23)<D]

[A>(19)<A] Trauma screening conducted by a licensed behavioral health professional;

[D>(24)<D]

[A>(20)<A] Depression screening, including maternal depression screening, conducted by a licensed behavioral health professional; and

[D>(25)<D]

[A>(21)<A] Substance use screening conducted by a licensed behavioral health professional.

Sec. 44. Subsection (b) of section 38a-488a of the general statutes, as amended by section 1 of public act 15-226 and section 43 of this act, is repealed and the following is substituted in lieu thereof (Effective January 1, 2017):

(b) Each individual health insurance policy providing coverage of the type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469 delivered, issued for delivery, renewed, amended or continued in this state shall provide benefits for the diagnosis and treatment of mental or nervous conditions. Benefits payable include, but need not be limited to:

- (1) General inpatient hospitalization, including in state-operated facilities;
- (2) Medically necessary acute treatment services and medically necessary clinical stabilization services;
- (3) General hospital outpatient services, including at state-operated facilities;
- (4) Psychiatric inpatient hospitalization, including in state-operated facilities;
- (5) Psychiatric outpatient hospital services, including at state-operated facilities;
- (6) Intensive outpatient services, including at state-operated facilities;
- (7) Partial hospitalization, including at state-operated facilities;

(8) Evidence-based maternal, infant and early childhood home visitation services, as described in Section 2951 of the Patient Protection and Affordable Care Act, P. L. 111-148, as amended from time to time, that are designed to improve health outcomes for pregnant women, postpartum mothers and newborns and children, including, but not limited to, for maternal substance use disorders or depression and relationship-focused interventions for children with mental or nervous conditions or substance use disorders;

(9) Intensive, home-based services designed to address specific mental or nervous conditions in a child;

(10) Evidence-based family-focused therapy that specializes in the treatment of juvenile substance use disorders;

(11) Short-term family therapy intervention;

(12) Nonhospital inpatient detoxification;

(13) Medically monitored detoxification;

(14) Ambulatory detoxification;

(15) Inpatient services at psychiatric residential treatment facilities;

(16) Rehabilitation services provided in residential treatment facilities, general hospitals, psychiatric hospitals or psychiatric facilities;

(17) Observation beds in acute hospital settings;

(18) Psychological and neuropsychological testing conducted by an appropriately licensed health care provider;

(19) Trauma screening conducted by a licensed behavioral health professional;

(20) Depression screening, including maternal depression screening, conducted by a licensed behavioral health professional; [D>and<D]

(21) Substance use screening conducted by a licensed behavioral health professional [A>;<A] [D>.<D]

[A>(22) Intensive, family-based and community-based treatment programs that focus on addressing environmental systems that impact chronic and violent juvenile offenders;<A]

[A>(23) Other home-based therapeutic interventions for children;<A]

[A>(24) Chemical maintenance treatment, as defined in section 19a-495-570 of the regulations of Connecticut state agencies; and<A]

[A>(25) Extended day treatment programs, as described in section 17a-22.<A]

Sec. 45. Subsection (b) of section 38a-514 of the general statutes, as amended by section 2 of public act 15-226, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(b) Except as provided in subsection (j) of this section, each group health insurance policy providing coverage of the type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469 delivered, issued for delivery, renewed, amended or continued in this state shall provide benefits for the diagnosis and treatment of mental or nervous conditions. Benefits payable include, but need not be limited to:

- (1) General inpatient hospitalization, including in state-operated facilities;
- (2) Medically necessary acute treatment services and medically necessary clinical stabilization services;
- (3) General hospital outpatient services, including at state-operated facilities;
- (4) Psychiatric inpatient hospitalization, including in state-operated facilities;
- (5) Psychiatric outpatient hospital services, including at state-operated facilities;
- (6) Intensive outpatient services, including at state-operated facilities;
- (7) Partial hospitalization, including at state-operated facilities;
- (8) Evidence-based maternal, infant and early childhood home visitation services, as described in Section 2951 of the Patient Protection and Affordable Care Act, P. L. 111-148, as amended from time to time, that are designed to improve health outcomes for pregnant women, postpartum mothers and newborns and children, including, but not limited to, for maternal substance use disorders or depression and relationship-focused interventions for children with mental or nervous conditions or substance use disorders;
- (9) Intensive, home-based services designed to address specific mental or nervous conditions in a child [A>;<A] [D>while remediating problematic parenting practices and addressing other family and educational challenges that affect the child's and family's ability to function;<D]
- [D>(10) Intensive, family-based and community-based treatment programs that focus on addressing environmental systems that impact chronic and violent juvenile offenders;<D]

[D>(11)<D]

[A>(10)<A] Evidence-based family-focused therapy that specializes in the treatment of juvenile substance use disorders [A>;<A] [D>and delinquency;<D]

[D>(12)<D]

[A>(11)<A] Short-term family therapy intervention

[A>;<A]

[D>and juvenile diversion

programs that target at-risk children to address adolescent behavior problems, conduct disorders, substance use disorders and delinquency;<D]

[D>(13) Other home-based therapeutic interventions for children;<D]

[D>(14) Chemical maintenance treatment, as defined in section 19a-495-570 of the regulations of Connecticut state agencies;<D]

[D>(15)<D]

[A>(12)<A] Nonhospital inpatient detoxification;

[D>(16)<D]

[A>(13)<A] Medically monitored detoxification;

[D>(17)<D]

[A>(14)<A] Ambulatory detoxification;

[D>(18)<D]

[A>(15)<A] Inpatient services at psychiatric residential treatment facilities;

[D>(19) Extended day treatment programs, as described in section 17a-22;<D]

[D>(20)<D]

[A>(16)<A] Rehabilitation services provided in residential treatment facilities,

general hospitals, psychiatric hospitals or psychiatric facilities;

[D>(21)<D]

[A>(17)<A] Observation beds in acute hospital settings;

[D>(22)<D]

[A>(18)<A] Psychological and neuropsychological testing conducted by an appropriately licensed health care provider;

[D>(23)<D]

[A>(19)<A] Trauma screening conducted by a licensed behavioral health professional;

[D>(24)<D]

[A>(20)<A] Depression screening, including maternal depression screening, conducted by a licensed behavioral health professional; and

[D>(25)<D]

[A>(21)<A] Substance use screening conducted by a licensed behavioral health professional.

Sec. 46. Subsection (b) of section 38a-514 of the general statutes, as amended by section 2 of public act 15-226 and section 45 of this act, is repealed and the following is substituted in lieu thereof (Effective January 1, 2017):

(b) Except as provided in subsection (j) of this section, each group health insurance policy providing coverage of the type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469 delivered, issued for delivery, renewed, amended or continued in this state shall provide benefits for the diagnosis and treatment of mental or nervous conditions. Benefits payable include, but need not be limited to:

- (1) General inpatient hospitalization, including in state-operated facilities;
- (2) Medically necessary acute treatment services and medically necessary clinical stabilization services;
- (3) General hospital outpatient services, including at state-operated facilities;
- (4) Psychiatric inpatient hospitalization, including in state-operated facilities;
- (5) Psychiatric outpatient hospital services, including at state-operated facilities;

- (6) Intensive outpatient services, including at state-operated facilities;
- (7) Partial hospitalization, including at state-operated facilities;
- (8) Evidence-based maternal, infant and early childhood home visitation services, as described in Section 2951 of the Patient Protection and Affordable Care Act, P. L. 111-148, as amended from time to time, that are designed to improve health outcomes for pregnant women, postpartum mothers and newborns and children, including, but not limited to, for maternal substance use disorders or depression and relationship-focused interventions for children with mental or nervous conditions or substance use disorders;
- (9) Intensive, home-based services designed to address specific mental or nervous conditions in a child;
- (10) Evidence-based family-focused therapy that specializes in the treatment of juvenile substance use disorders;
- (11) Short-term family therapy intervention;
- (12) Nonhospital inpatient detoxification;
- (13) Medically monitored detoxification;
- (14) Ambulatory detoxification;
- (15) Inpatient services at psychiatric residential treatment facilities;
- (16) Rehabilitation services provided in residential treatment facilities, general hospitals, psychiatric hospitals or psychiatric facilities;
- (17) Observation beds in acute hospital settings;
- (18) Psychological and neuropsychological testing conducted by an appropriately licensed health care provider;
- (19) Trauma screening conducted by a licensed behavioral health professional;
- (20) Depression screening, including maternal depression screening, conducted by a licensed behavioral health professional; [D>and<D]
- (21) Substance use screening conducted by a licensed behavioral health professional [A>;<A] [D>.<D]
- [A>(22) Intensive, family-based and community-based treatment programs that focus on addressing environmental systems that impact chronic and violent juvenile offenders;<A]
- [A>(23) Other home-based therapeutic interventions for children;<A]
- [A>(24) Chemical maintenance treatment, as defined in section 19a-495-570 of the regulations of

Connecticut state agencies; and<A]

[A>(25) Extended day treatment programs, as described in section 17a-22.<A]

Sec. 47. Subsection (a) of section 12-158 of the general statutes, as amended by section 6 of public act 15-156, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) The deed given by any collector for real estate sold by him for taxes shall be in substance in the form following:

Know all men by these presents, that, whereas the (here insert the name of the taxing authority) did on the day of , 20. . . , lay a tax on its grand list next to be (or last) perfected, a rate bill for which and for a personal tax (if such be the fact), in all respects made out according to law with a warrant thereto attached, was placed in my hands, I being the duly appointed and qualified collector thereof, for collection, which tax became due on the day of , 20. . . ; and, whereas A. B. , upon demand made, neglected and refused to pay the tax set opposite his name in said rate bill, and thereupon, on the day of , 20. . . , I levied upon the parcel of real estate hereinafter described for that portion of said tax which was assessed thereon, to wit: \$ and accrued interest (or if the levy was for the whole tax, for the amount of said tax, to wit: \$ and accrued interest) and gave due notice thereof to said taxpayer and to as by law provided, which real estate so levied upon is situated in and bounded , and on the day of , 20. . . , no one having previously tendered me said tax with interest and my fees, in pursuance of said levy, and in accordance with the terms of said notice, I sold at public auction the whole of (or the following portion of) said real estate of (to wit) to C. D. , for the sum of \$ Now, therefore, in consideration of the premises, and of said sum of money, received to my full satisfaction, of said C. D. , I hereby bargain and sell unto him the premises last above described, with the appurtenances, to have and to hold the same to him and his heirs forever, subject only to taxes laid by such municipality which were not yet due and payable when I first published notice of levy and sale

and any other liens in favor of such municipality

[A>, <A]

[D>or the state, <D] easements,

covenants and restrictions in favor of other parcels of land, interests exempt from levy and sale under the Constitution and laws of the United States and such other interests, if any, hereinafter described, to wit And also, I, the said collector, acting in the name of and for (name of municipality), do by these presents bind (name of municipality), forever, to warrant and defend the above granted and bargained premises to the said grantee, his heirs and assigns, against all claims and demands arising from any necessary act omitted or unlawful act done by me in connection with the aforesaid levy or sale which impairs the same. In witness whereof I have hereunto set my hand and seal this day of , 20. . .

E. F. , (Seal).

Collector as aforesaid.

Signed, sealed, and delivered

in the presence of

(Usual form of acknowledgment).

Sec. 48. Subsection (c) of section 4-86 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(c) The Comptroller shall keep an account in connection with each appropriation and shall not issue any warrant, draft or order on the Treasurer in payment of any obligation in excess of the available balance of the appropriation for the purpose or purposes for which such obligation was incurred, until the General Assembly has passed a deficiency bill for the purpose and allotments have been made by the Governor, or such appropriation has been increased as provided in ~~D>~~sections 4-84

and<D]

[A>section<A] 4-87.

Sec. 49. Subsection (a) of section 28-9a of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) Whenever the Governor proclaims a disaster emergency under the laws of this state, or the President declares an emergency or a major disaster to exist in this state, the Governor is authorized: (1) To enter into purchase, lease, or other arrangements with any agency of the United States for temporary housing units to be occupied by disaster victims and to make such units available to any political subdivision of the state; (2) to assist any political subdivision of this state which is the locus of such housing to acquire sites necessary for such housing and to do all things required to prepare such sites to receive and utilize such housing units by: (A) Advancing or lending funds available to the Governor from any appropriation made by the legislature, ~~D>~~the contingency fund established by section 4-84,<D] or from any other source, (B) "passing through" funds made available by any agency, public or private, or (C) becoming a copartner with the political subdivision for the execution and performance of any temporary housing for disaster victims' project and for such purposes to pledge the credit of the state on such terms as he deems appropriate, having due regard for current debt transactions of the state; (3) under such regulations as he shall prescribe, to temporarily suspend or modify for not to exceed sixty days any public health, safety, zoning, transportation or other requirement of law or regulation within this state when by proclamation he deems such suspension or modification essential to provide temporary housing for disaster victims.

Sec. 50. (NEW) (Effective from passage) (a) For the purposes of this section:

(1) "Over-the-counter drug" means any drug that is a personal care product that contains a label that identifies such product as a drug, as required by 21 CFR 201. 66, as amended from time to time;

(2) "Personal care product" means any (A) article intended to be rubbed, poured, sprinkled, sprayed on, introduced into or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness or altering the appearance of, (B) article intended for use as a component of any such article described in subparagraph (A) of this subdivision, or (C) over-the-counter drug. "Personal care product" does not include any product for which a prescription is required for distribution or dispensation, as determined by the Commissioner of Consumer Protection; and

(3) "Microbead" means any intentionally added synthetic solid plastic particle measured to be five millimeters or less in size that is used to exfoliate or cleanse and is intended to be rinsed off or washed off the body and consequently deposited into a sink, shower or bathtub drain.

(b) On and after December 31, 2017, no person shall manufacture for sale any personal care product, except for an over-the-counter drug, that contains any intentionally added microbead.

(c) On and after December 31, 2018, no person shall import, sell or offer for sale any personal care product, except for an over-the-counter drug, that contains any intentionally added microbead.

(d) On and after December 31, 2018, no person shall manufacture for sale any over-the-counter drug that contains an intentionally added microbead.

(e) On and after December 31, 2019, no person shall import, sell or offer for sale any over-the-counter drug that contains any intentionally added microbead.

(f) The Commissioner of Energy and Environmental Protection, in consultation with the Commissioner of Consumer Protection, may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to implement the provisions of this section.

(g) (1) On or before August 15, 2016, the Commissioner of Energy and Environmental Protection shall accept an application on behalf of a manufacturer of a personal care product for the performance of a study, at the request of said commissioner, by the Connecticut Academy of Science and Engineering to determine if a biodegradable microbead is available for use in such personal care product that does not adversely impact the environment or publicly owned treatment works in this state. Any such application shall require the manufacturer of such biodegradable microbead to disclose the chemical constituents or composition of such microbead. Upon receipt of any such application, in a format as prescribed by the commissioner, the commissioner shall request the Connecticut Academy of Science and Engineering to perform such study. Said academy may establish a fee for the performance of such study and such fee shall be remitted by the applicant to the Department of Energy and Environmental Protection. Upon receipt of such request and fee from the commissioner, said academy shall commence such study. Such study shall, at a minimum, consist of: (A) A study committee appointed by said academy to oversee such study, (B) the use of an academy-selected research team with expertise in matters relating to

biodegradable microbeads to conduct relevant research for such study, including, but not limited to, the fate and transport of microbeads, and author a study report, and (C) study committee meetings that afford the opportunity for such applicant, department and interested persons to obtain information concerning the study's process. The academy shall complete any such study and issue a final study report for such study to the commissioner not later than December 15, 2017. Upon receipt of such final study report, the commissioner shall review such final study report and, not later than February 1, 2018, forward such final study report and any recommendations of said academy for legislation concerning the use of biodegradable microbeads in personal care products to the joint standing committee of the General Assembly having cognizance of matters relating to the environment.

(2) Any information or materials submitted by an applicant to the Department of Energy and Environmental Protection or the Connecticut Academy of Science and Engineering in connection with the performance of the study described in subdivision (1) of this subsection shall not be subject to disclosure pursuant to chapter 14 of the general statutes provided such applicant indicates to the department or academy, at the time of submission, information or materials that such applicant deems a trade secret or privileged in any manner.

(3) In the event that the study described in subdivision (1) of this subsection is not completed on or before December 15, 2017, the manufacturing, selling, importing or offering for sale of any personal care product that contains an intentionally added biodegradable microbead shall be prohibited on and after July 1, 2018.

(h) Any person who violates any of the provisions of subsections (b) to (e), inclusive, of this section or any regulation adopted pursuant to subsection (f) of this section shall be fined not more than five thousand dollars for the first violation and not more than ten thousand dollars for any subsequent violation.

Sec. 51. Section 38a-135 of the general statutes is amended by adding subsection (o) as follows (Effective October 1, 2015):

(NEW) (o) (1) As used in this subsection: (A) "Group-wide supervisor" means the regulatory official (i) authorized by such official's jurisdiction to conduct and coordinate group-wide supervisory activities, and (ii) who is determined or acknowledged to be the group-wide supervisor of an internationally active insurance group pursuant to this subsection; and (B) "internationally active insurance group" means any insurance holding company system that (i) includes an insurance company registered pursuant to this section, and (ii) meets the following criteria: (I) Premiums are written in at least three countries; (II) the percentage of gross premiums written without the United States is at least ten per cent of the insurance holding company system's total gross written premiums; and (III) based on a three-year rolling average, the total assets of the insurance holding company system are at least fifty billion dollars or the total gross written premiums of the insurance holding company system are at least ten billion dollars.

(2) (A) The commissioner, in cooperation with other state, federal and international regulatory agencies

of the jurisdictions where members of the internationally active insurance group are domiciled, shall determine a single group-wide supervisor for an internationally active insurance group. An insurance holding company system that does not qualify as an internationally active insurance group may request that the commissioner make a determination or acknowledgment of a group-wide supervisor as set forth in this subsection.

(B) The commissioner may determine that the commissioner is the appropriate group-wide supervisor for an internationally active insurance group that conducts substantial insurance business operations in this state and may act as a group-wide supervisor for any internationally active insurance group in accordance with the provisions of this subsection.

(C) The commissioner may acknowledge that the regulatory official of another jurisdiction is an appropriate group-wide supervisor for an internationally active insurance group that (i) does not conduct substantial insurance business operations in the United States, (ii) conducts substantial insurance business operations in the United States but not in this state, or (iii) conducts substantial insurance business operations in the United States and in this state but the commissioner has determined, pursuant to the factors set forth in subdivision (3) of this subsection, that the regulatory official of another jurisdiction is the appropriate group-wide supervisor.

(D) When another regulatory official is acting as the group-wide supervisor of an internationally active insurance group, the commissioner shall acknowledge such official as the group-wide supervisor, except that the commissioner shall make a determination or acknowledgement of a group-wide supervisor for such insurance group if a material change in such insurance group results in (i) the largest share of such insurance group's premiums, assets or liabilities being held by member insurance companies domiciled in this state, or (ii) this state being the place of domicile of the top-tiered insurance company or companies in such insurance group.

(E) A regulatory official determined or acknowledged to be a group-wide supervisor of an internationally active insurance group may determine, after considering the factors set forth in subdivision (3) of this subsection, that it is appropriate to acknowledge another regulatory official to serve as the group-wide supervisor of such insurance group. Such acknowledgment shall be made (i) in cooperation with and subject to the acknowledgment of other regulatory officials of the jurisdictions where members of such insurance group are domiciled, and (ii) in consultation with such insurance group.

(3) The commissioner shall consider the following factors in making a determination or acknowledgment under subdivision (2) of this subsection:

(A) The place of domicile of the member insurance companies of the internationally active insurance group that hold the largest share of such insurance group's premiums, assets or liabilities;

(B) The place of domicile of the top-tiered insurance company or companies in the internationally active insurance group;

(C) The locations of the executive offices or the largest operational offices of the internationally active insurance group; and

(D) Whether (i) a regulatory official of another jurisdiction is acting or seeking to act as the group-wide supervisor under a regulatory system the commissioner determines to be substantially similar to that provided under the laws of this state or is otherwise sufficient in terms of group-wide supervision, enterprise risk analysis and cooperation with other regulatory officials, and (ii) such regulatory official acting or seeking to act as the group-wide supervisor provides the commissioner with reasonably reciprocal recognition and cooperation.

(4) The commissioner may collect, pursuant to section 38a-14a, from any insurance company registered pursuant to this section any information necessary for the commissioner to determine whether the commissioner may act as the group-wide supervisor of an internationally active insurance group of which such company is a member or whether the commissioner may acknowledge that a regulatory official of another jurisdiction should act as the group-wide supervisor of such insurance group.

(5) Prior to issuing any determination or acknowledgment under this subsection, the commissioner shall notify the member insurance company registered pursuant to this section and the ultimate controlling person of the internationally active insurance group of such pending determination or acknowledgment. The commissioner shall provide the internationally active insurance group at least thirty calendar days to submit any additional information pertinent to such determination or acknowledgment that is requested by the commissioner or that such insurance group chooses to submit. The commissioner shall publish in the Connecticut Law Journal and post on the Insurance Department's Internet web site a current list of internationally active insurance groups that the commissioner has determined are subject to group-wide supervision by the commissioner.

(6) The commissioner may conduct and coordinate the following group-wide supervision activities for an internationally active insurance group for which the commissioner is determined to be the group-wide supervisor:

(A) Assess the enterprise risks within the internationally active insurance group to ensure that material financial conditions of and liquidity risks to the members of such insurance group that are engaged in the business of insurance are identified by management and that reasonable and effective mitigation measures are in place;

(B) Request from members of such insurance group information necessary and appropriate to assess enterprise risk, including, but not limited to, information about governance, risk assessment and management, capital adequacy and material intercompany transactions;

(C) Coordinate and, through the authority of the regulatory officials of the jurisdictions where members of the internationally active insurance group are domiciled, compel the development and implementation of reasonable measures designed to ensure the internationally active insurance group is able to timely recognize and mitigate material enterprise risks to the members of such insurance group that are

engaged in the business of insurance;

(D) Communicate with other state, federal and international regulatory agencies of the jurisdictions where members of the internationally active insurance group are domiciled and share relevant information, subject to the confidentiality provisions of section 38a-137, through a supervisory college, as set forth in subsection (n) of this section;

(E) Enter into agreements with or obtain documentation from any member insurance company registered under this section, any other member of the internationally active insurance group and any other state, federal and international regulatory agencies of the jurisdictions where members of the internationally active insurance group are domiciled, to establish or clarify the commissioner's role as group-wide supervisor and that may include provisions for resolving disputes with other regulatory officials. No such agreement or documentation shall serve as evidence that an insurance company or person within an insurance company holding system that is not domiciled or incorporated in this state is doing business in this state or is otherwise subject to the jurisdiction of this state; and

(F) Other activities necessary to effectuate the group-wide supervisory purposes of this section and sections 38a-129 to 38a-140, to sections 38a-129 to 38a-140, inclusive, and within the authority granted in said sections.

(7) If the commissioner acknowledges that a regulatory official of a jurisdiction not accredited by NAIC is the group-wide supervisor of an internationally active insurance group, the commissioner shall reasonably cooperate through a supervisory college or otherwise with group supervision undertaken by such group-wide supervisor, provided such cooperation is in compliance with the laws of this state and such group-wide supervisor recognizes and cooperates with the commissioner's activities as a group-wide supervisor for other internationally active insurance groups, where applicable. The commissioner may refuse to cooperate if the commissioner determines such recognition and cooperation are not reasonably reciprocated. The commissioner may enter into agreements with or obtain documentation from any member insurance company registered pursuant to this section, any affiliate of such insurance company and any other state, federal and international regulatory agencies of the jurisdictions where members of the internationally active insurance group are domiciled, to establish or clarify such official's role as group-wide supervisor.

(8) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to carry out the provisions of this subsection.

(9) Each insurance company registered pursuant to this section shall be liable for and shall pay the reasonable expenses of the commissioner's administration of this subsection, including the engagement of the services of attorneys, actuaries and other professionals and all reasonable travel expenses.

Sec. 52. Subsection (a) of section 31-294d of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) (1) The employer, as soon as the employer has knowledge of an injury, shall provide a competent physician or surgeon to attend the injured employee and, in addition, shall furnish any medical and surgical aid or hospital and nursing service, including medical rehabilitation services and prescription drugs, as the physician or surgeon deems reasonable or necessary. The employer, any insurer acting on behalf of the employer, or any other entity acting on behalf of the employer or insurer shall be responsible for paying the cost of such prescription drugs directly to the provider. [A>If the employer utilizes an approved providers list, when an employee reports a work-related injury or condition to the employer the employer shall provide the employee with such approved providers list within two business days of such reporting.<A]

(2) If the injured employee is a local or state police officer, state marshal, judicial marshal, correction officer, emergency medical technician, paramedic, ambulance driver, firefighter, or active member of a volunteer fire company or fire department engaged in volunteer duties, who has been exposed in the line of duty to blood or bodily fluids that may carry blood-borne disease, the medical and surgical aid or hospital and nursing service provided by the employer shall include any relevant diagnostic and prophylactic procedure for and treatment of any blood-borne disease.

Sec. 53. Section 32-41aa of the general statutes, as amended by section 5 of public act 15-222, is repealed and the following is substituted in lieu thereof (Effective upon the effective date of section 5 of public act 15-222):

For the purpose of this section and sections 32-41bb to 32-41dd, inclusive:

[A>(1) "Administrative costs" means the costs paid or incurred by the administrator, including, but not limited to, peer review costs, professional fees, allocated staff costs and other out-of-pocket costs attributable to the administration and operation of the Connecticut Bioscience Innovation Fund.<A]

[D>(1)<D]

[A>(2)<A] "Administrator" means Connecticut Innovations, Incorporated, in its

capacity as administrator of the Connecticut Bioscience Innovation Fund established pursuant to section 32-41cc [A>, as amended by this act<A] .

[D>(2)<D]

[A>(3)<A] "Advisory committee" means the Bioscience Innovation Advisory Committee

established pursuant to section 32-41bb.

[D>(3)<D]

[A>(4)<A] "Early-stage business" means a business that has been in operation for

not more than seven years and is developing or testing a product or service that is (A) not yet available for commercial release, or (B) commercially available in a limited manner, including, but not limited to, market testing of prototypes and clinical trials that have not begun phase II evaluation.

[D>(4)<D]

[A>(5)<A] "Eligible recipient" means a duly accredited college or university, a

nonprofit corporation or a for-profit start-up or early-stage business.

[D>(5)<D]

[A>(6)<A] "Financial assistance" means any and all forms of grants, extensions of

credit, loans or loan guarantees, equity investments or other forms of financing.

[D>(6)<D]

[A>(7)<A] "Return on investment" means any and all forms of principal or interest

payments, guarantee fees, returns on equity investments, royalties, options, warrants and debentures and all other forms of remuneration to the administrator in return for any financial assistance offered or provided.

[D>(7)<D]

[A>(8)<A] "Phase II evaluation" means a phase II clinical trial conducted under

the auspices of an independent peer-reviewed protocol that has been reviewed and approved by one of

the National Institutes of Health or the federal Food and Drug Administration.

Sec. 54. Subsections (d) and (e) of section 32-41cc of the general statutes are repealed and the following is substituted in lieu thereof (Effective upon the effective date of section 5 of public act 15-222):

(d) The Connecticut Bioscience Innovation Fund shall be used (1) to provide financial assistance to eligible recipients as may be approved by the advisory committee pursuant to subsection (e) of this section, [D>and<D] (2) for the repayment of state bonds in such amounts as may be required by the State Bond Commission [A>, and (3) to pay or reimburse the administrator for administrative costs pursuant to subsection (j) of this section<A] . Such financial assistance shall be awarded to further the development of bioscience, biomedical engineering, health information management, medical care, medical devices, medical diagnostics, pharmaceuticals, personalized medicine and other related disciplines that are likely to lead to an improvement in or development of services, therapeutics, diagnostics or devices that are commercializable and designed to advance the coordination, quality or efficiency of health care and lower health care costs, and that promise, directly or indirectly, to lead to job growth in the state in these or related fields.

(e) All expenditures from the Connecticut Bioscience Innovation Fund, except for[A>administrative costs reimbursed to the administrator pursuant to subsection (j) of this section and<A] amounts required for the repayment of state bonds in such amounts as may be required by the State Bond Commission, shall be approved by the advisory committee. Any such approval shall be (1) specific to an individual expenditure to be made, (2) for budgeted expenditures with such variations as the advisory committee may authorize at the time of such budget approval, or (3) for a financial assistance program to be administered by staff of the administrator, subject to limits, eligibility requirements and other conditions established by the advisory committee at the time of such program approval.

Sec. 55. Subsection (j) of section 32-41cc of the general statutes is repealed and the following is substituted in lieu thereof (Effective upon the effective date of section 5 of public act 15-222):

[A>(j) Administrative costs shall be paid or reimbursed to the administrator from the Connecticut Bioscience Innovation Fund, provided the total of such administrative costs in any fiscal year shall not exceed five per cent of the total amount of the allotted funding for such fiscal year as determined in the operating budget prepared pursuant to subsection (i) of this section. Nothing in section 32-41aa, as amended by public act 15-222 and this act, 32-41bb or this section shall require the administrator to risk or expend the funds of Connecticut Innovations, Incorporated in connection with the administration of the Connecticut Bioscience Innovation Fund.<A]

[D>(j)<D]

[A>(k)<A] Not later than April 15, 2014, and annually thereafter, the

administrator shall provide a report of the activities of the Connecticut Bioscience Innovation Fund to the advisory committee for its review and approval. Upon its approval, the advisory committee shall provide such report, in accordance with the provisions of section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to finance, revenue and bonding, appropriations, commerce, public health and higher education. Such report shall contain available information on the status and progress of the operations and funding of the Connecticut Bioscience Innovation Fund and the types, amounts and recipients of financial assistance awarded and any returns on investment.

Sec. 56. (NEW) (Effective October 1, 2015) (a) A public service company, as defined in section 16-1 of the general statutes, that requires the disclosure of a potential customer's Social Security number in order to open a new customer account shall verify the validity of the Social Security number prior to opening a new customer account to ensure that such number does not belong to a minor, as defined in section 1-1d of the general statutes. Such public service company shall cross reference the Social Security number provided with such customer's legal name, aliases, date of birth, age, current address and phone number. A public service company may use a third-party company to carry out the purpose of this subsection.

(b) A minor shall not be liable for payment of an unpaid bill to a public service company for services fraudulently obtained by an adult using such minor's Social Security number.

Sec. 57. (NEW) (Effective October 1, 2015) (a) As used in this section, "fire sprinkler system" means a system of piping and appurtenances designed and installed in accordance with generally accepted standards so that heat from a fire will automatically cause water to be discharged over the fire area to extinguish or prevent its further spread.

(b) When renting any dwelling unit, the landlord of such dwelling unit shall include notice in the rental agreement as to the existence or nonexistence of an operative fire sprinkler system in such dwelling unit and shall be printed in not less than twelve-point boldface type of uniform font.

(c) If there is an operative fire sprinkler system in the dwelling unit, the rental agreement shall provide further notice as to the last date of maintenance and inspection and shall be printed in not less than twelve-point boldface type of uniform font.

Sec. 58. Subsections (a) to (d), inclusive, of section 4a-60g of the general statutes are repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) As used in this section and sections 4a-60h to 4a-60j, inclusive, the following terms have the following meanings:

(1) "Small contractor" means any contractor, subcontractor, manufacturer, service company or nonprofit corporation (A) that maintains its principal place of business in the state, (B) that had gross revenues not exceeding fifteen million dollars in the most recently completed fiscal year prior to such application, and

(C) that is independent. "Small contractor" does not include any person who is affiliated with another person if both persons considered together have a gross revenue exceeding fifteen million dollars.

(2) "Independent" means the viability of the enterprise of the small contractor does not depend upon another person, as determined by an analysis of the small contractor's relationship with any other person in regards to the provision of personnel, facilities, equipment, other resources and financial support, including bonding.

(3) "State agency" means each state board, commission, department, office, institution, council or other agency with the power to contract for goods or services itself or through its head.

(4) "Minority business enterprise" means any small contractor (A) fifty-one per cent or more of the capital stock, if any, or assets of which are owned by a person or persons who (i) exercise operational authority over the daily affairs of the enterprise, (ii) have the power to direct the management and policies and receive the beneficial interest of the enterprise, (iii) possess managerial and technical competence and experience directly related to the principal business activities of the enterprise, and (iv) are members of a minority, as such term is defined in subsection (a) of section 32-9n, or are individuals with a disability, or (B) which is a nonprofit corporation in which fifty-one per cent or more of the persons who (i) exercise operational authority over the enterprise, (ii) possess managerial and technical competence and experience directly related to the principal business activities of the enterprise, (iii) have the power to direct the management and policies of the enterprise, and (iv) are members of a minority, as defined in this subsection, or are individuals with a disability.

(5) "Affiliated" means the relationship in which a person directly, or indirectly through one or more intermediaries, controls, is controlled by or is under common control with another person.

(6) "Control" means the power to direct or cause the direction of the management and policies of any person, whether through the ownership of voting securities, by contract or through any other direct or indirect means. Control shall be presumed to exist if any person, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing, twenty per cent or more of any voting securities of another person.

(7) "Person" means any individual, corporation, limited liability company, partnership, association, joint stock company, business trust, unincorporated organization or other entity.

(8) "Individual with a disability" means an individual (A) having a physical or mental impairment that substantially limits one or more of the major life activities of the individual, which mental impairment may include, but is not limited to, having one or more mental disorders, as defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", or (B) having a record of such an impairment.

(9) "Nonprofit corporation" means a nonprofit corporation incorporated pursuant to chapter 602 or any predecessor statutes thereto.

[A>(10) "Municipality" means any town, city, borough, consolidated town and city or consolidated town and borough.<A]

[A>(11) "Quasi-public agency" means the Connecticut Health and Educational Facilities Authority, the Connecticut Higher Education Supplemental Loan Authority, the Connecticut Student Loan Foundation, the Connecticut Housing Finance Authority, the Connecticut Housing Authority, the Materials Innovation and Recycling Authority, the Connecticut Lottery Corporation, the Connecticut Airport Authority, the Connecticut Health Insurance Exchange, the Connecticut Green Bank, the Connecticut Port Authority and the State Education Resource Center.<A]

[A>(12) "Awarding agency" means a state agency or political subdivision of the state other than a municipality.<A]

[A>(13) "Public works contract" has the same meaning as provided in section 46a-68b, as amended by this act.<A]

[A>(14) "Municipal public works contract" means that portion of an agreement entered into on or after October 1, 2015, between any individual, firm or corporation and a municipality for the construction, rehabilitation, conversion, extension, demolition or repair of a public building, highway or other changes or improvements in real property, which is financed in whole or in part by the state, including, but not limited to, matching expenditures, grants, loans, insurance or guarantees but excluding any project of an alliance district, as defined in section 10-262u, as amended by this act, financed by state funding in an amount equal to fifty thousand dollars or less.<A]

[A>(15) "Quasi-public agency project" means the construction, rehabilitation, conversion, extension, demolition or repair of a building or other changes or improvements in real property pursuant to a contract entered into on or after October 1, 2015, which is financed in whole or in part by a quasi-public agency using state funds, including, but not limited to, matching expenditures, grants, loans, insurance or guarantees.<A]

(b) [A>(1)<A] It is found and determined that there is a serious need to help small contractors, minority business enterprises, nonprofit organizations and individuals with disabilities to be considered for and awarded state contracts for [D>the construction, reconstruction or rehabilitation of public buildings, the construction and maintenance of highways and<D] the purchase of goods and services [A>, public works contracts, municipal public works contracts and contracts for quasi-public agency projects<A] . Accordingly, the necessity [D>, in the public interest and for the public benefit and good,<D] of [A>awarding such contracts in compliance with<A] the provisions of this section, sections 4a-60h to 4a-60j, inclusive, and sections 32-9i to 32-9p, to sections 32-9i to 32-9p, inclusive, [A>for advancement of the public benefit and good,<A] is declared as a matter of legislative determination.

[A>(2)<A] Notwithstanding any provisions of the general statutes [A>,<A] [D>to the contrary,<D]

and except as set forth

[D>herein<D]

[A>in this section<A] , the head of each

[D> state<D]

[A>awarding<A] agency [D>and each political subdivision of the state other than a municipality<D] shall set aside in each fiscal year, for award to small contractors, on the basis of competitive bidding procedures, contracts or portions of contracts for the construction, reconstruction or rehabilitation of public buildings, the construction and maintenance of highways and the purchase of goods and services. [D>Eligibility of nonprofit corporations under the provisions of this section shall be limited to predevelopment contracts awarded by the Commissioner of Housing for housing projects.<D] The total value of such contracts or portions thereof to be set aside by each such agency shall be at least twenty-five per cent of the total value of all contracts let by the head of such agency in each fiscal year, provided [D>that neither: (1) A contract that may not be set aside due to a conflict with a federal law or regulation; or (2)<D] a contract for any goods or services which have been determined by the Commissioner of Administrative Services to be not customarily available from or supplied by small contractors shall [A>not<A] be included. Contracts or portions thereof having a value of not less than twenty-five per cent of the total value of all contracts or portions thereof to be set aside shall be reserved for awards to minority business enterprises.

[A>(3) Notwithstanding any provision of the general statutes, and except as provided in this section, on and after October 1, 2015, each municipality when awarding a municipal public works contract shall state in its notice of solicitation for competitive bids or request for proposals or qualifications for such contract that the general or trade contractor shall be required to comply with the provisions of this section and the requirements concerning nondiscrimination and affirmative action under sections 4a-60 and 4a-60a, as amended by this act. Any such contractor awarded a municipal public works contract shall, on the basis of competitive bidding procedures, (A) set aside at least twenty-five per cent of the total value of the state's financial assistance for such contract for award to subcontractors who are small contractors, and (B) of that portion to be set aside in accordance with subparagraph (A) of this subdivision, reserve a portion equivalent to twenty-five per cent of the total value of the contract or portion thereof to be set aside for awards to subcontractors who are minority business enterprises. The provisions of this section shall not apply to any municipality that has established a set-aside program pursuant to section 7-148u where the percentage of contracts set aside for minority business enterprises is equivalent to or exceeds the percentage set forth in this subsection.<A]

[A>(4) Notwithstanding any provision of the general statutes, and except as provided in this section, on and after October 1, 2015, any individual, firm or corporation that enters into a contract for a quasi-public agency project shall, prior to awarding such contract, notify the contractor to be awarded such project of the requirements of this section and the requirements concerning nondiscrimination and affirmative action under sections 4a-60 and 4a-60a, as amended by this act. Any such contractor awarded a contract for a quasi-public agency project shall, on the basis of competitive bidding procedures, (A) set aside at least twenty-five per cent of the total value of the state's financial assistance for such contract for award to subcontractors who are small contractors, and (B) of that portion to be set aside in

accordance with subparagraph (A) of this subdivision, reserve a portion equivalent to twenty-five per cent of the total value of the contract or portions thereof to be set aside for awards to subcontractors who are minority business enterprises.<A]

[A>(5) Eligibility of nonprofit corporations under the provisions of this section shall be limited to predevelopment contracts awarded by the Commissioner of Housing for housing projects.<A]

[A>(6) In calculating the percentage of contracts to be set aside under subdivisions (2) to (4), inclusive, of this subsection, the awarding agency or contractor shall exclude any contract that may not be set aside due to a conflict with a federal law or regulation.<A]

(c) The head of any [D>state<D] [A>awarding<A] agency [D>or political subdivision of the state other than a municipality<D] may, in lieu of setting aside any contract or portions thereof, require any general or trade contractor or any other entity authorized by such agency to award contracts, to set aside a portion of any contract for subcontractors who are eligible for set-aside contracts under this section. Nothing in this subsection shall be construed to diminish the total value of contracts which are required to be set aside by any [D>state<D] [A>awarding<A] agency [D>or political subdivision of the state other than a municipality<D] pursuant to this section.

(d) The [D>heads of all state agencies and of each political subdivision of the state

other than a municipality<D]

[A>head of each awarding agency<A] shall notify the

Commissioner of Administrative Services of all contracts to be set aside pursuant to [A>subdivision (2) of<A] subsection (b) or [A>subsection<A] (c) of this section at the time that bid documents for such contracts are made available to potential contractors.

Sec. 59. Subsection (h) of section 4a-60g of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(h) The provisions of this section shall not apply to

[A>(1)<A] any

[D>state<D]

[A> awarding<A]

agency [D>or political subdivision of the state other than a municipality<D] for which the total value of all contracts or portions of contracts of the types enumerated in [A>subdivision (2) of<A] subsection (b) of this section is anticipated to be equal to ten thousand dollars or less [A>, or (2) any municipal public works contract or contract for a quasi-public agency project for which the total value of the contract is anticipated to be equal to fifty thousand dollars or less<A] .

Sec. 60. Subsection (j) of section 4a-60g of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(j) (1) Whenever the awarding

[D>authority<D]

[A>agency<A] has reason to believe that any

contractor or subcontractor awarded a [A>state<A] set-aside contract has wilfully

violated any provision of this section, the awarding

[D>authority<D]

[A>agency<A] shall

send a notice to such contractor or subcontractor by certified mail, return receipt requested. Such notice shall include: (A) A reference to the provision alleged to be violated; (B) a short and plain statement of the matter asserted; (C) the maximum civil penalty that may be imposed for such violation; and (D) the time and place for the hearing. Such hearing shall be fixed for a date not earlier

than fourteen days after the notice is mailed. The awarding

[D>authority<D]

[A>agency<A]

shall send a copy of such notice to the Commission on Human Rights and Opportunities.

(2) The awarding

[D>authority<D]

[A>agency<A] shall hold a hearing on the violation

asserted unless such contractor or subcontractor fails to appear. The hearing shall be held in accordance with the provisions of chapter 54. If, after the

hearing, the awarding

[D>authority<D]

[A>agency<A] finds that the contractor or

subcontractor has wilfully violated any provision of this section, the awarding

[D>authority<D]

[A>agency<A] shall suspend all set-aside contract payments to the

contractor or subcontractor and may, in its discretion, order that a civil penalty not exceeding ten

thousand dollars per violation be imposed on the contractor or subcontractor. If such contractor or subcontractor fails to appear for the

hearing, the awarding

[D>authority<D]

[A>agency<A] may, as the facts require, order that a

civil penalty not exceeding ten thousand dollars per violation be imposed on the

contractor or subcontractor. The awarding

[D>authority<D]

[A>agency<A] shall send a copy of

any order issued pursuant to this subsection by certified mail, return receipt requested, to the contractor or subcontractor named in such order. The awarding

[D>authority<D]

[A>agency<A] may cause proceedings to be instituted by the Attorney General

for the enforcement of any order imposing a civil penalty issued under this subsection.

Sec. 61. Subsections (l) and (m) of section 4a-60g of the general statutes are repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(1) On or before

[D>August 30, 2007, and annually thereafter<D]

[A>August first of each year<A] , each

[D>state<D]

[A>awarding<A] agency

[D>and each political subdivision of the state

other than a municipality<D] setting aside contracts or portions of contracts [A>under subdivision (2) of subsection (b) of this section<A] shall prepare a report establishing small and minority business [A>state<A] set-aside program goals for the twelve-month period beginning July first in the same year. Each such report shall be submitted to the Commissioner of Administrative Services, the Commission on Human Rights and Opportunities and the cochairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to planning and development and government administration [A>.<A] [D>and elections.<D]

(m) On or before

[D>November 1, 1995, and<D]

[A>November first of each year and on a<A]
quarterly

[A>basis<A] thereafter, each

[D>state<D]

[A>awarding<A] agency

[D>and each political

subdivision of the state other than a municipality<D] setting aside contracts or portions of contracts [A>under subdivision (2) of subsection (b) of this section<A] shall prepare a status report on the implementation and results of its small business and minority business enterprise [A>state<A] set-aside program goals during the three-month period ending one month before the due date for the report. Each report shall be submitted to the Commissioner of Administrative Services and the

Commission on Human Rights and Opportunities. Any

[D>state<D]

[A>awarding<A] agency

[D>or

political subdivision of the state, other than a municipality,<D] that achieves less than fifty per cent of its small contractor and minority business enterprise[A>state<A] set-aside program goals by the end of the second reporting period in any twelve-month period beginning on July first shall provide a written explanation to the Commissioner of Administrative Services and the Commission on Human Rights and Opportunities detailing how the [A>awarding<A] agency [D>or political subdivision<D] will achieve its goals in the final reporting period. The Commission on Human Rights and Opportunities shall: (1) Monitor the achievement of the annual goals

established by each

[D>state<D]

[A>awarding<A] agency

[A>;<A]

[D>and political subdivision of the

state other than a municipality;<D] and (2) prepare a quarterly report concerning

such goal achievement. The report shall be submitted to each

[D>state<D]

[A>awarding<A]

agency that submitted a report, the Commissioner of Economic and Community Development, the Commissioner of Administrative Services and the cochairpersons and ranking members of the joint

standing committees of the General Assembly having cognizance of matters relating to planning and development and government

administration

[A>.<A]

[D>and elections.<D] Failure by any

[D>state<D]

[A>awarding<A] agency

[D> or

political subdivision of the state other than a municipality<D] to submit any reports required by this section shall be a violation of section 46a-77.

Sec. 62. Section 4a-60h of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) The Commissioner of Administrative Services shall be responsible for the administration of the set-aside program [A>for public works contracts and state contracts for goods and services, as described in subdivision (2) of subsection (b) of section 4a-60g, as amended by this act<A] . The commissioner shall conduct regular training sessions, as [A>often as<A] the commissioner deems necessary, for state agencies to explain the [A>state<A] set-aside program and to specify the factors that must be addressed in calculating [A>awarding<A] agency goals under the program. The commissioner shall conduct informational workshops to inform businesses of [A>state<A] set-aside opportunities and responsibilities.

[A>(b) The Commission on Human Rights and Opportunities shall be responsible for the administration of the set-aside program for municipal public works contracts and contracts for quasi-public agency projects, as described in subdivisions (3) and (4) of subsection (b) of section 4a-60g, as amended by this act. The commission shall conduct regular training sessions, as often as the commission deems necessary, for municipalities, quasi-public agencies and contractors to explain the municipal and quasi-public agency project set-aside program. The commission may adopt regulations in accordance with the provisions of chapter 54, to carry out the purposes of sections 4a-60g to 4a-60j, inclusive, as amended by this act, in regard to the municipal and quasi-public agency project set-aside program.<A]

[A>(c) In any case where an individual contract is both a public works contract of an awarding agency and a quasi-public agency project contract, the provisions of this chapter governing awarding agency public works contracts shall apply to such contract.<A]

[D>(b)<D]

[A>(d)<A] The

[D>commissioner<D]

[A>Commissioner of Administrative Services<A] shall adopt

regulations in accordance with the provisions of chapter 54 to carry out the purposes of sections 4a-60g to 4a-60j, inclusive [A>, as amended by this act, in regard to the state set-aside program<A] . Such regulations shall include (1) provisions concerning the application of the program to individuals with a disability; (2) guidelines for a legally acceptable format for, and content of, letters of credit authorized under subsection (j) of section 4a-60g [A>, as amended by this act<A] ; (3) procedures for random site visits to the place of business of an applicant for certification at the time of application and at subsequent times, as necessary, to ensure the integrity of the application process; and (4) time limits for approval or disapproval of applications.

[D>(c)<D]

[A>(e)<A] On or before January 1, 1994, the Commissioner of Administrative

Services shall, by regulations adopted in accordance with chapter 54, establish a process to ensure that small contractors, small businesses and minority business enterprises have fair access to all competitive [A>state<A] contracts outside of the [A>state<A] set-aside program.

Sec. 63. Section 4a-60 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) Every contract to which [D>the state or any political subdivision of the state

other than a municipality<D]

[A>an awarding agency<A] is a party
[A>, every quasi-public

agency project contract and every municipal public works contract<A] shall contain the following provisions:

(1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, gender identity or expression, intellectual disability, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut; and the contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious

creed, age, marital status, national origin, ancestry, sex, gender identity or expression, intellectual disability, mental disability or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved;

(2) The contractor agrees, in all solicitations or advertisements for employees placed by or on behalf of the contractor, to state that it is an "affirmative action-equal opportunity employer" in accordance with regulations adopted by the

[D>commission<D]

[A>Commission on Human Rights and Opportunities<A] ;

(3) The contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or

understanding, a notice to be provided by the

[D>commission<D]

[A>Commission on Human

Rights and Opportunities<A] advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment;

(4) The contractor agrees to comply with each provision of this section and sections 46a-68e and 46a-68f and with each regulation or relevant order issued by said commission pursuant to sections 46a-56, [A>as amended by this act,<A] 46a-68e [A>,<A] [D>and<D] 46a-68f [A>and 46a-86<A] ; and

(5) The contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor as relate to the provisions of this section and section 46a-56 [A>, as amended by this act<A] .

(b) If the contract is a public works contract, [A>municipal public works contract or contract for a quasi-public agency project,<A] the contractor agrees and warrants that he [A>or she<A] will make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such public works [A>or quasi-public agency<A] project.

(c) (1) Any contractor who has one or more contracts with [D>the state or a political

subdivision of the state that<D]

[A>an awarding agency or who is a party to a

municipal public works contract or a contract for a quasi-public agency project, where any such contract<A] is valued at less than fifty thousand dollars for each year of the contract [A>,<A] shall provide the [D>state or such political subdivision of

the state<D]

[A>awarding agency, or in the case of a municipal public works or

quasi-public agency project contract, the Commission on Human Rights and Opportunities,<A] with a written or electronic representation that complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section, provided if there is any change in such representation, the contractor shall provide the updated representation to the [D>state or such political

subdivision<D]

[A>awarding agency or commission<A] not later than thirty days after such

change.

(2) Any contractor who has one or more contracts with [D>the state or a political

subdivision of the state that<D]

[A>an awarding agency or who is a party to a

municipal public works contract or a contract for a quasi-public agency project, where any such contract<A] is valued at fifty thousand dollars or more for any year of the contract [A>,<A] shall provide the [D>state or such political subdivision of the

state<D]

[A>awarding agency, or in the case of a municipal public works or

quasi-public agency project contract, the Commission on Human Rights and Opportunities,<A] with any one of the following:

(A) Documentation in the form of a company or corporate policy adopted by resolution of the board of directors, shareholders, managers, members or other governing body of such contractor that complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section;

(B) Documentation in the form of a company or corporate policy adopted by a prior resolution of the board of directors, shareholders, managers, members or other governing body of such contractor if (i) the prior resolution is certified by a duly authorized corporate officer of such contractor to be in effect on the date the documentation is submitted, and (ii) the head of the [A>awarding<A] agency [A>,<A] [D> of the state or such political subdivision,<D] or a designee, [A>or in the case of a municipal public works or quasi-public agency project contract, the executive director of the Commission on Human Rights and Opportunities or a designee,<A] certifies that the prior resolution complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section; or

(C) Documentation in the form of an affidavit signed under penalty of false statement by a chief executive officer, president, chairperson or other corporate officer duly authorized to adopt company or corporate policy that certifies that the company or corporate policy of the contractor complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section and is in effect on the date the affidavit is signed.

(3)

[D>Neither the state nor any political subdivision<D]

[A>No awarding agency, or in

the case of a municipal public works contract, no municipality, or in the case of a quasi-public agency project contract, no entity,<A] shall award a contract to a contractor who has not provided the representation or documentation required under subdivisions (1) and (2) of this subsection, as applicable. After the initial submission of such representation or documentation, the contractor shall not be required to resubmit such representation or documentation unless there is a change in the information contained in such representation or documentation. If there is any change in the information contained in the most recently filed representation or updated documentation, the contractor shall submit an updated representation or documentation, as applicable, either (A) not later than thirty days after the effective date of such change, or (B) upon the execution of a new contract with

the

[D>state or a political subdivision of the state<D]

[A>awarding agency, municipality

or entity, as applicable<A] , whichever is earlier. Such contractor shall also certify, in accordance with subparagraph (B) or (C) of subdivision (2) of this

subsection, to the

[D>state or political subdivision<D]

[A>awarding agency or commission,

as applicable<A] , not later than fourteen days after the twelve-month anniversary of the most recently filed representation, documentation or updated representation or documentation, that the representation on file with the [D>state or political

subdivision<D]

[A>awarding agency or commission, as applicable,<A] is current and

accurate.

(d) For the purposes of this section, "contract" includes any extension or modification of the contract, "contractor" includes any successors or assigns of the contractor, "marital status" means being single, married as recognized by the state of Connecticut, widowed, separated or divorced, and "mental disability" means one or more mental disorders, as defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", or a record of or regarding a person as having one or more such disorders. For the purposes of this section, "contract" does not include a contract where each contractor is (1) a political subdivision of the state, including, but not limited to, a municipality, [D>(2) a quasi-public agency, as

defined in section 1-120, (3)<D]

[A>unless the contract is a municipal public works

contract or quasi-public agency project contract, (2)<A] any other state, as defined

in section 1-267,

[D>(4)<D]

[A>(3)<A] the federal government,

[D>(5)<D]

[A>(4)<A] a foreign government, or

[D>(6)<D]

[A>(5)<A] an agency of a subdivision,

[D>agency,<D] state or government

described in

[D>subparagraph<D]

[A>subdivision<A] (1), (2), (3)

[D>,<D]

[A>or<A] (4)

[D>or (5)<D] of this

subsection.

(e) For the purposes of this section, "minority business enterprise" means any small contractor or supplier of materials fifty-one per cent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) Who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise, and (3) who are members of a minority, as such term is defined in subsection (a) of section 32-9n; and "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations. "Good faith efforts" shall include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements.

(f) Determination of the contractor's good faith efforts shall include [A>,<A] but shall not be limited to [A>,<A] the following factors: The contractor's employment and subcontracting policies, patterns and practices; affirmative advertising, recruitment and training; technical assistance activities and such other

reasonable activities or efforts as the

[D>commission<D]

[A>Commission on Human Rights

and Opportunities<A] may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

(g) The contractor shall develop and maintain adequate documentation, in a manner

prescribed by the

[D>commission<D]

[A>Commission on Human Rights and Opportunities<A] , of

its good faith efforts.

(h) The contractor shall include the provisions of subsections (a) and (b) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state [A>, and in every subcontract entered into in order to fulfill any obligation of a municipal public works contract or contract for a quasi-public agency project,<A] and such provisions shall be binding on a subcontractor, vendor or manufacturer [A>,<A] unless exempted by regulations or

orders of the

[D>commission<D]

[A>Commission on Human Rights and Opportunities<A] . The

contractor shall take such action with respect to any such subcontract or purchase order as the commission may direct as a means of enforcing such provisions [A>,<A] including sanctions for noncompliance in accordance with section 46a-56; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the commission [A>regarding a state contract<A] , the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

Sec. 64. Section 4a-60a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) Every contract to which [D>the state or any political subdivision of the state

other than a municipality<D]

[A>an awarding agency<A] is a party
[A>, every contract for a

quasi-public agency project and every municipal public works contract<A] shall contain the following provisions:

(1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation;

(2) The contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment;

(3) The contractor agrees to comply with each provision of this section and with each regulation or relevant order issued by said commission pursuant to section 46a-56; and

(4) The contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor which relate to the provisions of this section and section 46a-56.

(b) (1) Any contractor who has one or more contracts with [D>the state or a political

subdivision of the state that<D]

[A>an awarding agency or who is a party to a

municipal public works contract or a contract for a quasi-public agency project, where any such contract<A] is valued at less than fifty thousand dollars for each year of the contract [A>,<A] shall provide the [D>state or such political subdivision of

the state<D]

[A>awarding agency, or in the case of a municipal public works or

quasi-public agency project contract, the Commission on Human Rights and Opportunities,<A] with a written representation that complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section.

(2) Any contractor who has one or more contracts with [D>the state or a political

subdivision of the state that<D]

[A>an awarding agency or who is a party to a

municipal public works contract or a contract for a quasi-public agency project, where any such contract<A] is valued at fifty thousand dollars or more for any year of the contract [A>,<A] shall provide [D>the state or such political subdivision of the

state<D]

[A>such awarding agency, or in the case of a municipal public works or

quasi-public agency project contract, the Commission on Human Rights and Opportunities,<A] with any of the following:

(A) Documentation in the form of a company or corporate policy adopted by resolution of the board of directors, shareholders, managers, members or other governing body of such contractor that complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section;

(B) Documentation in the form of a company or corporate policy adopted by a prior resolution of the

board of directors, shareholders, managers, members or other governing body of such contractor if (i) the prior resolution is certified by a duly authorized corporate officer of such contractor to be in effect on the date the documentation is submitted, and (ii) the head of the [D>agency of the state or

such political subdivision<D]

[A>awarding agency<A] , or a designee,
[A>or in the case of a

municipal public works or quasi-public agency project contract, the executive director of the Commission on Human Rights and Opportunities or a designee,<A]certifies that the prior resolution complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section; or

(C) Documentation in the form of an affidavit signed under penalty of false statement by a chief executive officer, president, chairperson or other corporate officer duly authorized to adopt company or corporate policy that certifies that the company or corporate policy of the contractor complies with the nondiscrimination agreement and warranty under subdivision (1) of subsection (a) of this section and is in effect on the date the affidavit is signed.

(3)

[D>Neither the state nor any political subdivision<D]

[A>No awarding agency, or in

the case of a municipal public works contract, no municipality, or in the case of a quasi-public agency project contract, no entity,<A] shall award a contract to a contractor who has not provided the representation or documentation required under subdivisions (1) and (2) of this subsection, as applicable. After the initial submission of such representation or documentation, the contractor shall not be required to resubmit such representation or documentation unless there is a change in the information contained in such representation or documentation. If there is any change in the information contained in the most recently filed representation or updated documentation, the contractor shall submit an updated representation or documentation, as applicable, either (A) not later than thirty days after the effective date of such change, or (B) upon the execution of a new contract with

the

[D>state or a political subdivision of the state<D]

[A>awarding agency, municipality,

or entity, as applicable<A] , whichever is earlier. Such contractor shall also certify, in accordance with subparagraph (B) or (C) of subdivision (2) of this

subsection, to the

[D>state or political subdivision<D]

[A>awarding agency or commission,

as applicable<A] , not later than fourteen days after the twelve-month anniversary of the most recently filed representation, documentation or updated representation or documentation, that the representation on file with the [D>state or political

subdivision<D]

[A>awarding agency or commission, as applicable,<A] is current and

accurate.

(4) For the purposes of this section, "contract" includes any extension or modification of the contract, and "contractor" includes any successors or assigns of the contractor. For the purposes of this section, "contract" does not include a contract where each contractor is (A) a political subdivision of the state, including, but not limited to, a municipality, [D>(B) a quasi-public agency, as

defined in section 1-120, (C)<D]

[A>unless the contract is a municipal public works

contract or quasi-public agency project contract, (B)<A] any other state, as defined

in section 1-267,

[D>(D)<D]

[A>(C)<A] the federal government,

[D>(E)<D]

[A>(D)<A] a foreign government, or

[D>(F)<D]

[A>(E)<A] an agency of a subdivision,

[D>agency,<D] state or government

described in subparagraph (A), (B), (C)

[D>,<D]

[A>or<A] (D)

[D>or (E)<D] of this subdivision.

(c) The contractor shall include the provisions of subsection (a) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state [A>, and in every subcontract entered into in order to fulfill any obligation of a municipal public works contractor contract for a quasi-public agency project,<A] and such provisions shall be binding on a subcontractor, vendor or

manufacturer unless exempted by regulations or orders of

the

[D>commission<D]

[A>Commission on Human Rights and Opportunities<A] . The contractor

shall take such action with respect to any such subcontract or purchase order as the commission may direct as a means of enforcing such provisions [A>,<A] including sanctions for noncompliance in accordance with section 46a-56 [A>, as amended by this act<A] ; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the commission [A>regarding a state contract<A] , the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

Sec. 65. Section 4a-62 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) There is established a Minority Business Enterprise Review Committee. The committee shall consist of two members of the House of Representatives appointed by the speaker of the House, two members of the House appointed by the minority leader of the House, two members of the Senate appointed by the president pro tempore of the Senate, and two members of the Senate appointed by the minority leader of the Senate. The committee shall conduct an ongoing study of contract awards, loans and bonds made or guaranteed by [D>the state or any political

subdivision of the state other than a municipality<D]

[A>awarding agencies and of

municipal public works contracts and contracts for quasi-public agency projects<A]for the purpose of determining the extent of compliance with the provisions of the general statutes concerning contract awards, loans and bonds for minority business enterprises, including the set-aside program for such business enterprises.

(b) The committee may request

[A>(1)<A] any

[A>awarding<A] agency

[D>of the state<D] authorized

to award public works contracts or to enter into purchase of goods or services contracts [A>, or (2) in the case of a municipal public works contract or contract for a quasi-public agency project, the Commission on Human Rights and Opportunities,<A] to submit such information on compliance with sections 4a-60 [A>, as amended by this act,<A] and 4a-60g [A>, as amended by this act,<A] and at such times as the

committee may require. The committee shall consult with the Departments of Administrative Services, Transportation and Economic and Community Development and the Commission on Human Rights and Opportunities concerning compliance with the state programs for minority business enterprises. The committee shall report annually on or before February first to the Joint Committee on Legislative Management on the results of its ongoing study and include its recommendations, if any, for legislation.

Sec. 66. Section 46a-68b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

As used in this section and sections 4a-60, [A>as amended by this act,<A] 4a-60a, [A> as amended by this act,<A] [D>4a-60g,<D] 4a-62, [A>as amended by this act,<A] 46a-56 [A>, as amended by this act,<A] and 46a-68c to 46a-68k, inclusive [A>, as amended by this act<A] : "Public works contract" means any agreement between any individual, firm or corporation and the state or any political subdivision of the state other than a municipality for construction, rehabilitation, conversion, extension, demolition or repair of a public building, highway or other changes or improvements in real property, or which is financed in whole or in part by the state, including, but not limited to, matching expenditures, grants, loans, insurance or guarantees [A>and "municipal public works contract", "quasi-public agency project" and "awarding agency" have the same meanings as provided in section 4a-60g, as amended by this act<A] .

Sec. 67. Section 46a-68c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

In addition to the provisions of section 4a-60, [A>as amended by this act,<A] each contractor with fifty or more employees awarded a public works contract [A>, municipal public works contract or contract for a quasi-public agency project<A] in excess of fifty thousand dollars in any fiscal year, but not subject to the provisions of section 46a-68d, [A>as amended by this act,<A] shall develop and file

with the

[D>commission<D]

[A>Commission on Human Rights and Opportunities<A] an affirmative action plan which shall comply with regulations adopted by

[D>said<D]

[A>the<A] commission.

Failure to develop an approved affirmative action plan pursuant to this section shall act as a bar to bidding on or the award of future contracts until such requirement has been met. When the commission approves an affirmative action plan pursuant to this section, it shall issue a certificate of compliance to the contractor. This certificate shall be prima facie proof of the contractor's eligibility to bid or be awarded contracts for a period of two years from the date of the certificate. Such certificate shall not excuse the contractor from monitoring by the commission or from the reporting and record-keeping requirements of sections 46a-68e and 46a-68f. The commission may revoke the certificate of a contractor if the contractor does not implement its affirmative action plan in compliance with this section and sections

4a-60, [A>as amended by this act,<A] 4a-60g,[A>as amended by this act,<A] 4a-62, [A>as amended by this act,<A] 46a-56, [A>as amended by this act,<A] 46a-68b, [A>as amended by this act,<A] 46a-68d, [A>as amended by this act,<A] and 46a-68e to 46a-68k, inclusive [A>, as amended by this act<A] .

Sec. 68. Section 46a-68d of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

In addition to the provisions of section 4a-60, [A>as amended by this act,<A] every public works contract [A>, municipal public works contract or contract for a quasi-public agency project<A] subject to the provisions of part II of chapter 60 shall also be subject to the provisions of this section. After a bid has been accepted but before a contract is awarded, the successful bidder shall file [A>with<A]

and have

[D>approved by the commission<D]

[A>obtained the approval of the commission for<A]

an affirmative action plan. The commission may provide for conditional acceptance of an affirmative action plan provided written assurances are given by the contractor that it will amend its plan to conform to affirmative action

requirements.

[D>The<D]

[A>In the case of a public works contract, the<A] state shall

withhold two per cent of the total contract price per month from any payment made to such contractor until such time as the contractor has developed an affirmative action plan, and received the approval of the commission. [A>In the case of a municipal public works contract or contract for a quasi-public agency project, the municipality or entity, as applicable, shall withhold two per cent of the total contract price per month from any payment made to such contractor until such time as the contractor has developed an affirmative action plan and received the approval of the commission.<A] Notwithstanding the provisions of this section, a contractor subject to the provisions of this section may file a plan in advance of or at the same time as its bid. The commission shall review plans submitted pursuant to this section within sixty days of receipt and either approve, approve with conditions or reject such plan. When the commission approves an affirmative action plan pursuant to this section, it shall issue a certificate of compliance to the contractor as provided in section 46a-68c [A>, as amended by this act<A] .

Sec. 69. Section 46a-68g of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

[D>Contracting agencies<D]

[A>No awarding agency, or in the case of a municipal public works contract, no municipality, or in the case of a quasi-public agency project

contract, no entity,<A] shall
[D>not<D] enter into
[D>contracts<D]
[A>a contract<A] with any

bidder or prospective contractor unless the bidder or prospective contractor has satisfactorily complied with the provisions of sections 4a-60, [A>as amended by this

act,<A] 4a-60g,
[A>as amended by this act,<A] 46a-56
[A>, as amended by this act,<A] and

46a-68c to 46a-68f, inclusive, [A>as amended by this act,<A] or submits a program for compliance acceptable to the commission.

Sec. 70. Section 46a-68k of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) If the commission determines an
[A>awarding<A] agency
[D>of the state<D]
[A>or in the

case of a municipal public works contract, a municipality,<A] has a contract compliance program which is at least equivalent to the requirements and responsibilities of sections 4a-60 [A>, as amended by this act,<A] and 46a-68c to 46a-68f, inclusive, [A>as amended by this act,<A] such agency [A>or municipality<A] , subject to the approval of the commission, may use its own compliance program. Any contractor who is a party to a public works contract with such agency [A>or municipality<A] may be relieved of the requirements and responsibilities of said sections, provided such contractor complies with the requirements of such agency's[A>or municipality's<A] contract compliance program.

(b) The commission shall adopt regulations in accordance with chapter 54 to carry out the purposes of this section, including, but not limited to, establishing a procedure for such determination and approval.

Sec. 71. Subsections (c) and (d) of section 46a-56 of the general statutes are repealed and the following

is substituted in lieu thereof (Effective October 1, 2015):

(c) If the commission determines through its monitoring and compliance procedures that a contractor or subcontractor is not complying with antidiscrimination statutes or contract provisions required under section 4a-60 [A>, as amended by this act,<A] or 4a-60a [A>, as amended by this act,<A] or [D>the provisions of<D] sections 46a-68c to 46a-68f, inclusive, [A>as amended by this act,<A] the commission may issue a complaint pursuant to subsection (c) of section 46a-82. Such complaint shall be scheduled for a hearing before a [D>hearing officer or<D] human rights referee appointed [A>by the chief referee<A] to act as a presiding officer. Such hearing shall be held in accordance with chapter 54 and section 46a-84 [A>, as amended by this act<A]

. If, after such hearing, the presiding officer makes a finding of noncompliance with antidiscrimination statutes or contract provisions required under section 4a-60 [A>, as amended by this act,<A] or 4a-60a [A>, as amended by this act,<A] or [D> the provisions of<D] sections 46a-68c to 46a-68f, inclusive, [A>as amended by this act,<A] the presiding officer [A>shall order such relief as is necessary to achieve full compliance with any antidiscrimination statute and required contract provisions.

The presiding officer<A] may: (1)

[D>Order<D]

[A>(A) In the case of a state contract, order<A]

the state to retain two per cent of the total contract price per month on any existing contract with such contractor [A>that the state withheld pursuant to section 46a-68d and transfer the funds to the State Treasurer for deposit in the special fund described in subsection (e) of this section, or (B) in the case of a municipal public works or quasi-public agency contract, order the municipality or entity to retain two per cent of the total contract price per month on any existing contract with such contractor<A] ; (2) prohibit the contractor from participation in any further contracts with state agencies [A>or any further municipal public works contracts or quasi-public agency project contracts, as applicable<A] until: (A) The expiration of a period of two years from the date of the finding of noncompliance, or (B) the presiding officer determines that the contractor has adopted policies consistent with such statutes, provided the

presiding officer shall make such determination

[D>within<D]

[A>not later than<A]forty-five days

[D>of<D]

[A>after<A] such finding of noncompliance; (3) publish, or cause

to be published, the names of contractors or unions that the presiding officer has found to be in noncompliance with such provisions; (4) notify the Attorney General that, in cases in which there is substantial [D>or material<D] violation or the threat of substantial [D>or material<D] violation of [D>the

contractual provisions set forth in<D> section 4a-60 [A>, as amended by this act,<A] or 4a-60a, [A>as amended by this act,<A] appropriate proceedings should be brought to enforce such provisions, including the enjoining [D>, within the limitations of applicable law,<D] of organizations,

individuals or groups

[D>who<D]

[A>that<A] prevent

[A>,<A]

[D>directly or indirectly,<D] or seek to prevent

[A>,<A]

[D>directly or indirectly,<D] compliance with

[D>the provisions of<D] section

4a-60 [A>, as amended by this act,<A] or 4a-60a [A>, as amended by this act<A] ; (5) recommend to the Equal Employment Opportunity Commission or the Department of Justice that appropriate proceedings be instituted under Title VII of the Civil

Rights Act of 1964

[D>,<D]

[A>or related laws<A] when necessary; (6) recommend to the

appropriate prosecuting authority that criminal proceedings be brought for the

furnishing of false information to any

[D>contracting<D]

[A>awarding<A] agency or to the

commission [A>;<A] [D>as the case may be;<D] (7) order the contractor to bring itself into compliance with antidiscrimination statutes or contract provisions required under

section 4a-60

[A>, as amended by this act,<A] or 4a-60a

[A>, as amended by this act,<A] or sections 46a-68c to 46a-68f, inclusive,

[A>as amended by this act,<A]

[D>within<D]

[A> not

later than<A] a period of thirty days [A>after the issuance of such order<A] or, for good cause shown, within an additional period of thirty days, and, if such contractor fails to bring itself into such compliance within such time period and such noncompliance is substantial [D>or material<D] or there is a pattern of

noncompliance, recommend to the

[D>contracting<D]

[A>awarding<A] agency that such agency

declare the contractor to be in breach of the contract and that such agency pursue all available remedies [A>or, in the case of a municipal public works or quasi-public agency project contract, recommend the municipality or entity to make such a declaration and pursue all available remedies<A] ; [D>or<D] (8) order the

[D>contracting<D]

[A>awarding<A] agency

[A>or, in the case of a municipal public works or

quasi-public agency project contract, the municipality or entity,<A] to refrain from entering into further contracts, or extensions or other modifications of existing contracts, with any noncomplying contractor, until such contractor has satisfied the commission that such contractor has established and will carry out personnel and employment policies in compliance with antidiscrimination statutes and [D>the provisions of<D] section 4a-60 [A>, as amended by this act,<A] or 4a-60a [A>, as amended by this act,<A] and sections 46a-68c to 46a-68f, inclusive [A>, as amended by this act; or (9) order two or more remedies or other relief designed to achieve full compliance with antidiscrimination statutes and required contract provisions<A] . The commission shall adopt regulations, in accordance with chapter 54, to implement the provisions of this section.

(d) If the commission determines, through its monitoring and compliance procedures[A>,<A] [D>and after a complaint is filed and a hearing is held pursuant to subsection (c) of this section,<D] that, with respect to a state contract, [A>municipal public works contract or quasi-public agency project contract,<A] a contractor, subcontractor [A>, service provider<A] or supplier of materials has (1) fraudulently qualified as a minority business enterprise, or (2) performed services or supplied materials on behalf of another contractor, subcontractor [A>, service provider<A] or supplier of materials knowing (A) that such other contractor, subcontractor [A>, service provider<A] or supplier has fraudulently qualified as a minority business enterprise in order to [A>appear to<A] comply with antidiscrimination statutes or contract provisions required under section 4a-60 [A>, as amended by this act,<A] or 4a-60a, [A> as amended by this act,<A] and (B) that such services or materials are to be used in connection with a contract entered into pursuant to subsection (b) of section 4a-60g, [A>as amended by this act,<A] [D>the hearing officer or human rights referee

before whom such hearing was held<D]

[A>the commission may issue a complaint pursuant

to subsection (c) of section 46a-82. Such complaint shall be scheduled for a hearing before a referee

assigned by the chief referee to act as a presiding officer. Such hearing shall be held in accordance with chapter 54 and section 46a-84, as amended by this act. If, after such hearing, the presiding officer makes a finding that a contractor, subcontractor, service provider or supplier of materials has violated this subsection, the presiding officer<A] shall assess a civil penalty of not more than ten thousand dollars upon such contractor, subcontractor [A>, service provider<A] or supplier of materials.

[A>(e)<A] The Attorney General, upon complaint of the commission, shall institute a civil action in the superior court for the judicial district of Hartford to

recover

[D>such<D]

[A>any<A] penalty

[A>assessed pursuant to subsection (d) of this section<A] .

Any penalties recovered pursuant to this subsection shall be deposited in a special fund and shall be held by the State Treasurer separate and apart from all other moneys, funds and accounts. The resources in such fund shall, pursuant to regulations adopted by the commission in accordance with the provisions of chapter 54, be used to assist minority business enterprises. As used in this section, "minority business enterprise" means any contractor, subcontractor or supplier of materials fifty-one per cent or more of the capital stock, if any, or assets of

which is owned by a person or persons:

[D>(i)<D]

[A>(1)<A] Who are active in the daily affairs of the enterprise;

[D>(ii)<D]

[A>(2)<A] who have the power to direct the management and policies of the enterprise; and

[D>(iii)<D]

[A>(3)<A] who are members of a minority, as

defined in subsection (a) of section 32-9n.

Sec. 72. Subsection (d) of section 46a-57 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(d) When serving as a presiding officer as provided in section 46a-84, [A>as amended by this act,<A] each human rights referee [D>or hearing officer<D] shall have the same subpoena powers as are granted to commissioners by subdivision (9) of section 46a-54. Each presiding officer shall also have the power to determine a reasonable fee to be paid to an expert witness [D>, including, but not limited to, any practitioner of the healing arts, as defined in section 20-1, dentist, registered nurse or licensed practical nurse, as defined in section 20-87a, and real estate appraiser when any such expert witness is summoned by the commission to give expert testimony, in person or by deposition, in any contested case proceeding, pursuant to section 46a-84. Such fee shall be paid to the expert witness in lieu

of all other witness fees<D]

[A>called by the commission to give expert testimony in

person or by deposition pursuant to section 46a-84, as amended by this act. Such fee shall be paid to the expert witness in lieu of all other witness fees<A] .

Sec. 73. Subsection (a) of section 46a-58 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) It shall be a discriminatory practice in violation of this section for any person to subject, or cause to be subjected, any other person to the deprivation of any rights, privileges or immunities, secured or protected by the Constitution or laws of this state or of the United States, on account of religion, national origin, alienage, color, race, sex, gender identity or expression, sexual orientation, blindness [A>, mental disability<A] or physical disability.

Sec. 74. Subsection (a) of section 46a-82 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) Any person claiming to be aggrieved by an alleged discriminatory practice, except for an alleged violation of section 4a-60g or 46a-68 or the provisions of sections 46a-68c to 46a-68f, inclusive, may, by himself or herself or by such person's attorney, [D>make, sign and<D] file with the commission a complaint in writing

under oath,

[D>which<D]

[A>except that a complaint that alleges a violation of section

46a-64c need not be notarized. The complaint<A] shall state the name and address of the person alleged to have committed the discriminatory practice, [D>and which shall

set forth the particulars thereof<D]

[A>provide a short and plain statement of the

allegations upon which the claim is based<A] and contain such other information as may be required by the commission. After the filing of a complaint [A>,<A] [D>pursuant to this subsection,<D] the commission shall [D>serve upon the person claiming to be

aggrieved<D]

[A>provide the complainant with<A] a notice that: (1) Acknowledges receipt

of the complaint; and (2) advises of the time frames and choice of forums available under this chapter.

Sec. 75. Section 46a-82e of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) Notwithstanding the failure of the [D>Commission on Human Rights and

Opportunities<D]

[A>commission<A] to comply with the time requirements of [D>sections<D]

[A>section<A] 46a-83

[D>and<D]

[A>or<A] 46a-84

[A>, as amended by this act,<A]

[D>with respect to a

complaint before the commission,<D] the jurisdiction of the commission [A>or the superior court<A] over any such complaint shall be retained.

(b) The commission shall report annually to the judiciary committee of the General Assembly and the Governor: (1) The number of cases in the previous fiscal year that exceeded the time frame, including authorized extensions, set forth in

subsection

[D>(e)<D]

[A>(g)<A] of section 46a-83; (2) the reasons for the failure to comply

with the time frame; (3) the number of actions brought pursuant to subsection (d) of this section and the results thereof; and (4) the commission's recommendations for legislative action, if any, necessary for the commission to meet the statutory time frame.

(c) If a complaint has been pending for more than twenty-one months from the date of filing and the commission has not issued a finding of reasonable cause or no reasonable cause, the executive director shall notify the complainant [D>by first class mail, facsimile machine, electronic mail or a file transfer protocol site<D] [A>as provided in section 46a-86a,<A] that the complainant has the right to request a release of jurisdiction in accordance with section 46a-101 [A>, as amended by this act<A] . The executive director or the executive director's designee shall investigate the cause for the delay in issuing

a finding. After such investigation, the executive director may, given the facts and circumstances of the case,

[D>schedule<D]

[A>set<A] a date

[D>certain<D] for issuance of a finding

[A>.<A]

[D> of

reasonable cause or no reasonable cause.<D]

(d) (1) If a complaint has been pending for more than two years after the date of filing pursuant to section 46a-82, [A>as amended by this act,<A] and if the investigator fails to issue a finding of reasonable cause or no reasonable cause by the date ordered by the executive director [D>of the commission<D] pursuant to subsection (c) of this section, the complainant or respondent may petition the superior court for the judicial district of Hartford for an order requiring the commission to issue a finding [D>of reasonable cause or no reasonable cause by a date

certain<D]

[A>by a specified date<A] . The petitioner shall submit the petition on forms

prescribed by the Office of the Chief Court Administrator.

(2) The clerk, upon receipt of the petition and if the clerk finds it to be in the proper form, shall fix a date for the hearing and sign the notice of hearing. The hearing date shall be no more than thirty days after the clerk signs the notice. Service shall be made on the commission and all persons named in the discriminatory practice complaint at least twenty days prior to the date of hearing by United States mail, certified or registered, postage prepaid, return receipt requested, without the use of a state marshal or other officer. Service on the commission shall be made on the executive director [A>.<A] [D>of the commission or a

commission legal counsel. Within<D]

[A>Not later than<A] five days

[A>after the date<A] of

service, the petitioner shall file with the court an affidavit stating the date and manner in which a copy of the petition was served and attach to the affidavit the return receipts indicating delivery of the petition.

(3)

[D>Within<D]

[A>Not later than<A] ten days after

[A>the date of<A] receipt of the petition,

any party, including the commission, may file an answer. The commission and all persons named in the discriminatory practice complaint shall have the right to appear and be heard at the hearing.

(4) If the commission and parties agree on a date [A>,<A] [D>certain,<D] the court shall

order the commission to issue a finding by

[D>said<D]

[A>such<A] date. If the allegations

of the petition are contested, the court shall hold a hearing [D>on the petition<D] and

issue an appropriate order.

[D>Hearing of oral argument on the petition<D]

[A>Hearings

held pursuant to this subdivision<A] shall take precedence over other matters in the court, as provided in section 46a-96. The court shall award court costs and

attorney's fees to the petitioner, provided

[D>such party<D]

[A>the petitioner<A] is a

"person", as defined in section 4-184a, unless the commission shows good cause for not issuing the finding of reasonable cause or no reasonable cause [D>within two

years of the date of filing or<D]

[A>by<A] the date ordered by the executive director

for the investigator to issue such finding [A>.<A] [D>, whichever is later.<D] An award of court costs and attorney's fees shall be subject to the court's discretion, but shall not exceed a total of five hundred dollars.

(5) This subsection shall not apply to complaints initiated by the commission or to pattern or practice or systemic cases.

Sec. 76. Section 46a-83a of the general statutes is repealed and the following is substituted in lieu

thereof (Effective October 1, 2015):

[D>If (1) a complainant requests a release of jurisdiction pursuant to subsection (b) of section 46a-83, (2) a commission legal counsel denies reinstatement of a

complaint pursuant to subsection (b) of said section, or (3)<D]
[A>If<A] a complaint is

dismissed for failure to accept full relief pursuant to subsection [D>(c) of said

section<D]

[A>(m) of section 46a-83<A] , and the complainant does not request

reconsideration of such dismissal as provided in subsection [D>(f) of said section<D] [A>(h) of section 46a-83<A] , the executive director shall issue a release [A>of jurisdiction<A] and the complainant may, within ninety days of receipt of the release from the commission, bring an action in accordance with sections 46a-100[A>, as amended by this act,<A] and 46a-102 to 46a-104, inclusive.

Sec. 77. Section 46a-84 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) If the investigator fails to eliminate a discriminatory practice complained of pursuant to subsection (a) or (b) of section 46a-82 [A>, as amended by this act,<A] within fifty days of a finding of reasonable cause, the investigator shall, within ten days, certify the complaint and the results of the investigation to the executive director of the commission and to the Attorney General. [A>The investigator's conclusion that conciliation has failed shall be conclusive on the issue.<A]

(b) Upon [A>(1)<A] certification of a complaint filed pursuant to subsection (a) or (b) of section 46a-82, [A>as amended by this act,<A] [D>or upon<D] [A>(2)<A] the filing of a complaint pursuant to subsection (c) of said section, [D>the Chief Human Rights Referee shall appoint, for a complaint filed pursuant to said subsection (a) or (b), a hearing officer, hearing adjudicator or human rights referee, and for a complaint filed pursuant to said subsection (c), a hearing officer<D] or [A>(3) a decision to hear a complaint, which is made pursuant to subsection (e) of section 46a-83, the Chief Human Rights Referee shall appoint a<A] human rights referee [D>,<D] to act as a presiding officer to hear the complaint [A>.<A] [D>or<D] [A>The chief referee shall also appoint an individual authorized by subsection (e) of this section or a referee, other than the referee appointed to hear the complaint,<A] to conduct settlement negotiations [A>.<A] [D>and shall cause to be issued and served<D] [A>The chief referee shall serve<A] in the name of the commission [D>a written notice, together with<D] a copy of the complaint, as the same may have been amended, requiring the respondent to answer the charges of the

complaint [A>,<A] [D>at a hearing before the presiding officer or hearing adjudicator at a time and place to be specified in the notice<D] [A>together with a written notice requiring the respondent to appear at a hearing or settlement conference at a date and time specified in the notice<A] . A hearing on a complaint filed pursuant to subsection (a) or (b) of section 46a-82 [A>, as amended by this act,<A] shall be commenced by convening a hearing conference not later than forty-five days after the certification of the complaint. Such hearing shall be a de novo hearing on the merits of the complaint and not an appeal of the commission's processing of the complaint prior to its certification. A hearing on a complaint filed pursuant to subsection (c) of section 46a-82 shall be commenced by convening a hearing conference not later than twenty days after the date of notice of such complaint. Hearings shall proceed with reasonable dispatch and be concluded in accordance with the provisions of section 4-180.

(c) [D>The place of any hearing may be the office of the commission or another place

designated by the commission.<D]

[A>The place of any hearing, hearing conference or

settlement conference shall be the commission's administrative office in Hartford, unless all parties mutually agree to an alternate location.<A]

(d) The case in support of the complaint shall be presented at the hearing by the Attorney General, who shall be counsel for the commission, or by a commission legal counsel as provided in section 46a-55 [A>, as amended by this act.<A] [D>, as the case may be.<D] If the Attorney General or the commission legal counsel determines that a material mistake of law or fact has been made in the finding of reasonable cause on a complaint filed pursuant to subsection (a) or (b) of section 46a-82, [A>as amended by this act, or the commission legal counsel determines that a complaint to be heard pursuant to subsection (e) of section 46a-83, should be further investigated,<A] the Attorney General or the commission legal counsel may withdraw the certification of the complaint [A>or the decision to hear the complaint<A] and remand the file to the investigator for further action. [A>The investigator shall complete any required action not later than ninety days after receipt of such file.<A] The complainant may be represented by an attorney of the complainant's own choice. If the Attorney General or the commission legal counsel [D>, as the case may be,<D] determines that the interests of the state will not be adversely affected, the complainant or the attorney for the complainant shall present all or part of the case in support of the complaint. No commissioner may participate in the deliberations of the presiding officer in the case.

(e) A [D>hearing officer, hearing adjudicator,<D] human rights referee or attorney who volunteers service pursuant to subdivision (18) of section 46a-54 may supervise

settlement endeavors

[A> . <A]

[D>, or, in<D]

[A>In<A] employment discrimination cases only, the complainant and respondent, with the permission of the

[D>commission<D]

[A>chief referee<A]

, may engage in alternate dispute resolution endeavors for not more than three months. The cost of such alternate dispute resolution endeavors shall be borne by the complainant or the respondent, or both, and not by the commission. Any endeavors or negotiations for conciliation, settlement or alternate dispute resolution shall not be received in evidence.

(f) The respondent

[D>may<D]

[A>shall<A] file a written answer to the complaint under oath

and appear at the hearing in person or otherwise, with or without counsel, and submit testimony and be fully heard. If the respondent fails to file a written answer [D>prior to the hearing within the time limits established by regulation

adopted by the commission in accordance with chapter 54<D]

[A>not later than fifteen

days after the date of service of the complaint,<A] or fails to appear at the hearing [A>, hearing conference or settlement conference<A] after notice in accordance

with section 4-177, the presiding officer or

[D>hearing adjudicator<D]

[A>a referee or an

attorney who volunteers services pursuant to subsection (e) of this section<A] may enter an order of default and order such relief as is necessary to eliminate the discriminatory practice and make the complainant whole [A>, except that if the default was entered by an attorney who volunteers services pursuant to subsection (e) of this section, the chief referee shall appoint a referee to act as a presiding officer to award relief<A] . The commission or the complainant may petition the Superior Court for enforcement of any such order for relief pursuant to [D>the provisions of<D] section 46a-95.

(g) The presiding officer [D>or hearing adjudicator<D] conducting any hearing shall permit reasonable amendment to any complaint or answer and the testimony taken at the hearing shall be under oath and be transcribed at the request of any party.

Sec. 78. Section 46a-86 of the general statutes is repealed and the following is substituted in lieu thereof

(Effective October 1, 2015):

(a) If, upon all the evidence presented at the hearing conducted pursuant to section 46a-84, [A>as amended by this act,<A] the presiding officer finds that a respondent has engaged in any discriminatory practice, the presiding officer shall

[D>state the presiding officer's<D]
[A>make written<A] findings of fact and
[D>shall issue and<D]file with the commission and
[D>cause to be served<D]
[A>serve<A] on the
[A>complainant and<A]

respondent an order requiring the respondent to cease and desist from the discriminatory practice and [D>further requiring the respondent<D] to take such affirmative action as [D>in the judgment of the presiding officer will effectuate<D] [A>is necessary to achieve<A] the purpose of this chapter.

(b) In addition to any other action taken under this section, upon a finding of a discriminatory employment practice, the presiding officer may order the hiring or

reinstatement of
[D>employees<D]
[A>any individual<A] , with or without back pay, or

restoration to membership in any respondent labor organization [A>.<A] [D>, provided,

liability<D]
[A>Liability<A] for back pay shall not accrue from a date more than two
years prior to the filing or issuance of the complaint [A>.<A] [D>and, provided further,

interim<D]
[A>Interim<A] earnings, including unemployment compensation and welfare

assistance or amounts which could have been earned with reasonable diligence on the part of the person to whom back pay is awarded shall be deducted from the amount of back pay to which such person is otherwise entitled. The amount of any [D>such<D] deduction for interim unemployment

compensation or welfare assistance shall be paid by the respondent to the commission which shall transfer such amount to the appropriate state or local agency.

(c) In addition to any other action taken under this section, upon a finding of a discriminatory practice prohibited by section 46a-58, [A>as amended by this act,<A] 46a-59, 46a-64, 46a-64c, 46a-81b, 46a-81d or 46a-81e, the presiding officer shall determine the damage suffered by the complainant, which damage shall include, but not be limited to, the expense incurred by the complainant for obtaining alternate housing or space, storage of goods and effects, moving costs and other costs actually incurred by the complainant as a result of such discriminatory practice and shall allow reasonable attorney's fees and costs. The amount of attorney's fees allowed shall not be contingent upon the amount of damages requested by or awarded to the complainant.

(d) In addition to any other action taken under this section, upon a finding of a discriminatory practice prohibited by section 46a-66 or 46a-81f, the presiding

officer shall

[D>issue and<D] file with the commission and

[D>cause to be served<D]

[A> serve<A]

on the respondent an order requiring the respondent to pay the complainant the damages resulting from the discriminatory practice.

(e) In addition to any other action taken under this section, upon a finding of noncompliance with antidiscrimination statutes or contract provisions required under section 4a-60 or 4a-60a or the provisions of sections 46a-68c to 46a-68f, inclusive, the presiding officer shall [D>issue and<D] file with the commission and

[D>cause to be served<D]

[A>serve<A] on the respondent an order with respect to any

remedial action imposed [D>by the presiding officer<D] pursuant to subsection (c) or (d) of section 46a-56 [A>, as amended by this act<A] .

(f) If, upon all the evidence and after a complete hearing, the presiding officer finds that the respondent has not engaged in any alleged discriminatory practice,

the presiding officer shall

[D>state the presiding officer's<D]

[A>make written<A] findings

of fact and shall [D>issue and<D] file with the commission and [D>cause to be served<D] [A>serve<A] on the [A>complainant and<A] respondent an order dismissing the complaint.

(g) Any payment received by a complainant under this chapter or under any equivalent federal antidiscrimination law, either as a settlement of a claim or as an award made in a judicial or administrative proceeding, shall not be considered as income, resources or assets for the purpose of determining the eligibility of or amount of assistance to be received by such person in the month of receipt or the three months following receipt under the state supplement program, Medicaid or any other medical assistance program, temporary family assistance program, state-administered general assistance program, or the temporary assistance for needy families program. After such time period, any remaining funds shall be subject to state and federal laws governing such programs, including, but not

limited to, provisions concerning
[A>an<A] individual development
[D>accounts<D]
[A>account<A] ,

as defined in section 31-51ww.

Sec. 79. Section 46a-89 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) (1) Whenever a complaint
[D>is filed with or by the commission<D]
[A>filed<A] pursuant
to section 46a-82
[A>, as amended by this act,<A]
[D>alleging<D]
[A>alleges<A] a violation of
section 46a-60 or 46a-81c, and
[D>a commissioner<D]
[A>the executive director<A] believes
[D> ,

upon review and the recommendation of the investigator assigned,<D] that equitable relief is required to prevent irreparable harm to the complainant, the

[D>commissioner<D]
[A>commission<A] may bring a petition
[D>in equity<D] in the superior court

for the judicial district [A>of Hartford, the judicial district<A] in which the discriminatory practice which is the subject of the complaint occurred or the judicial district in which the respondent resides, provided this subdivision shall not apply to complaints against employers with less than fifty employees.

(2) The petition shall seek appropriate temporary injunctive relief against the respondent pending final disposition of the complaint pursuant to the procedures set forth in this chapter. The injunctive relief may include an order temporarily restraining the respondent from doing any act that would render ineffectual any order a presiding officer may render with respect to the complaint.

(3) Upon service on the respondent of notice pursuant to section 46a-89a, the respondent shall be temporarily restrained from taking any action that would

render ineffectual the temporary injunctive relief

[D>prayed for<D]

[A>requested<A] in the

petition, provided nothing in this section shall be construed to prevent the respondent from having any employment duties [D>,<D] enjoined under this section and section 46a-89a, from being carried out by another employee and the notice shall so provide.

(b) (1) Whenever a complaint filed pursuant to section 46a-82 [A>, as amended by this act,<A] alleges a violation of section 46a-64, 46a-64c, 46a-81d or 46a-81e, and

[D>a commissioner<D]

[A>the commission<A] believes that injunctive relief is required or

that the imposition of punitive damages or a civil penalty would be appropriate, the commission may bring a petition in the superior court for the judicial district in which the discriminatory practice which is the subject of the complaint occurred or the judicial district in which the respondent resides.

(2) The petition shall seek: (A) Appropriate injunctive relief, including temporary or permanent orders or decrees restraining and enjoining the respondent from selling or renting to anyone other than the complainant or otherwise making unavailable to the complainant any dwelling or commercial property with respect to which the complaint is made, pending the final determination of such complaint by the commission or such petition by the court; (B) an award of damages based on the remedies available under subsection (c) of section 46a-86 [A>, as amended by this act<A]; (C) an award of punitive damages payable to the complainant, not to exceed fifty thousand dollars; (D) a civil penalty payable to the state against the respondent to vindicate the public interest: (i) In an amount not exceeding ten thousand dollars if the respondent has not been adjudged to have committed any prior discriminatory housing practice; (ii) in an amount not exceeding twenty-five thousand dollars if the respondent has been adjudged to have committed one other discriminatory housing practice during the five-year period

prior to the date of the filing of this complaint; and (iii) in an amount not exceeding fifty thousand dollars if the respondent has been adjudged to have committed two or more discriminatory housing practices during the seven-year period prior to the date of the filing of the complaint; except that if the acts constituting the discriminatory housing practice that is the object of the complaint are committed by the same natural person who has been previously adjudged to have committed acts constituting a discriminatory housing practice, then the civil penalties set forth in clauses (ii) and (iii) of this subparagraph may be imposed without regard to the period of time within which any subsequent discriminatory housing practice occurred; or (E) two or more of such remedies.

(3) Upon service on the respondent of notice pursuant to section 46a-89a, the respondent shall be temporarily restrained from selling or renting the dwelling or commercial property which is the subject of the complaint to anyone other than the complainant, or from otherwise making such dwelling or commercial property unavailable to the complainant, until the court or judge has decided the petition for temporary injunctive relief and the notice shall so provide.

Sec. 80. Section 46a-90a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) The

[D>chairperson of the commission<D]

[A>chief referee<A] shall schedule a date for a

hearing pursuant to section 46a-84 [A>, as amended by this act,<A] to be held within forty-five days of any temporary injunctive relief or restraining order issued pursuant to section 46a-89a. Such temporary injunctive relief or restraining order

shall remain in effect until the presiding officer renders

[D>his<D]

[A>a<A] decision on

the complaint. If the commission does not conduct its hearing procedure with

reasonable

[D>dispatch<D]

[A>speed<A] , the court, on the motion of the respondent and for

good cause shown, shall remove such temporary injunction and assume jurisdiction of all civil proceedings arising out of the complaint and shall set the matter for

hearing on the merits. The presiding officer shall render

[D>his<D]

[A>a<A] decision within

twenty days after the close of evidence and the filing of briefs.

(b) When the presiding officer finds that the respondent has engaged in any discriminatory practice prohibited by section 46a-60, 46a-64, 46a-64c, 46a-81c, 46a-81d or 46a-81e and grants relief on the complaint, [D>which relief requires that

such<D]

[A>requiring that a<A] temporary injunction remain in effect, the [D>commissionchairperson<D]

[A>executive director<A] may, through the procedure outlined in

subsection (a) of section 46a-95, petition the court which granted the original temporary injunction to make the injunction permanent.

(c) Upon issuance of a permanent injunction, the case shall be returned to the commission for such further action as is authorized by this chapter.

(d) Any temporary injunction issued under [D>the provisions of<D] section 46a-89a shall remain in effect during any appeal under section 46a-94a, [A>as amended by this act,<A] or any enforcement procedure under section 46a-95, unless removed by the court [A>.<A] [D>or a judge thereof.<D]

Sec. 81. Section 46a-94a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) The

[D>Commission on Human Rights and Opportunities<D]

[A>commission<A] , any respondent

or any complainant [A>,<A] aggrieved by a final order of a presiding officer [A>,<A] [D> or

any complainant<D]

[A>may appeal to the Superior Court in accordance with section

4-183. Any complainant may appeal to the Superior Court in accordance with section 4-183 if the complainant is<A] aggrieved by [A>(1)<A] the dismissal of his [A>or her<A] complaint by the commission for failure to attend a mandatory mediation session as

provided in subsection

[D>(c)<D]

[A](m)[A] of section 46a-83,

[A](2)[A] a finding of noreasonable cause as provided in subsection [D](e) of said[D]

[A](g) of[A] section 46a-83

[A] ,<A]

or [A](3)[A] rejection of reconsideration [D]of any dismissal<D] as provided in subsection

[D](f) of said<D]

[A](h) of[A] section 46a-83

[A].<A]

[D], may appeal therefrom in accordance

with section 4-183. The court on appeal shall also have jurisdiction to grant to the commission, respondent or complainant such temporary relief or restraining order as it deems just and suitable, and in like manner to make and enter a decree enforcing or modifying and enforcing as so modified or setting aside, in whole or in part, the order sought to be reviewed.<D]

(b) Notwithstanding the provisions of subsection (a) of this section, a complainant may not appeal the dismissal of his [A]or her<A] complaint if he [A]or she<A] has been granted a release pursuant to section 46a-101 [A], as amended by this act<A] .

(c) The commission on its own motion may, whenever justice so requires, reopen any matter previously closed [A],<A] [D]by the commission in accordance with the provisions of this subsection,<D] provided such matter has not been appealed to the Superior

Court pursuant to

[D]section 4-183<D]

[A]subsection (a) of this section<A] . Notice of such

reopening shall be given to all parties. A complainant or respondent may, for good cause shown, in the interest of justice, apply in writing for the reopening of a previously closed proceeding [A],<A] provided such application is filed with the[A]executive director of the<A] commission within two years of the commission's final decision [A]and the complainant has (1) not been issued a release of jurisdiction pursuant to section 46a-83a, as amended by this act, and filed a civil action, or (2) requested and received a release of jurisdiction from the commission pursuant to section 46a-101, as amended by this act<A] .

(d) The standards for reopening a matter may include, but are not limited to: (1) A material mistake of fact or law has occurred; (2) the finding is arbitrary or capricious; (3) the finding is clearly erroneous in view of the reliable, probative and substantial evidence on the whole record; and (4) new evidence has

been discovered which materially affects the merits of the case and which, for good reasons, was not presented during the investigation.

Sec. 82. Subsection (a) of section 46a-98 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) In lieu of, but not in addition to, filing a complaint with the [D>Commission on

Human Rights and Opportunities<D]

[A>commission<A] pursuant to section 46a-82,
[A> as

amended by this act,<A] any person claiming to be aggrieved by a violation of section 46a-66 or 46a-81f may bring an action under this section against a creditor, as defined in section 46a-65, in the superior court for the judicial district in which such aggrieved person resides or in which the alleged violation took place.

Sec. 83. Section 46a-98a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

Any person claiming to be aggrieved by a violation of section 46a-64c or 46a-81e or by a breach of a conciliation agreement entered into pursuant to this chapter, may bring an action in the Superior Court, or the housing session of said court if appropriate within one year of the date of the alleged discriminatory practice or of a breach of a conciliation agreement entered into pursuant to this chapter. No action pursuant to this section may be brought in the Superior Court regarding the alleged discriminatory practice after the commission has obtained a conciliation agreement pursuant to section 46a-83 or commenced a hearing pursuant to section 46a-84, [A>as amended by this act,<A] except for an action to enforce the conciliation agreement. The court shall have the power to grant relief, by injunction or otherwise, as it deems just and suitable. [D>In addition to the penalties provided for under subsection (g) of section 46a-64c or subsection (f) of section 46a-81e,

the<D]

[A>The<A] court may grant any relief which a presiding officer may grant in a

proceeding under section 46a-86 [A>, as amended by this act,<A] or which the court may grant in a proceeding under section 46a-89 [A>, as amended by this act<A] . The commission, through commission legal counsel or the Attorney General, may intervene as a matter of right in any action brought pursuant to this section without permission of the court or the parties.

Sec. 84. Section 46a-100 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

Any person who has [D>timely<D] filed a complaint with the [D>Commission on Human Rights

and Opportunities<D]

[A>the commission<A] in accordance with section 46a-82

[A>, as amended by this act,<A] and who has obtained a release

[D>from the commission<D]

[A> of

jurisdiction<A] in accordance with section 46a-83a [A>, as amended by this act,<A] or 46a-101, [A>as amended by this act,<A] may [D>also<D] bring an action in the superior court for the judicial district in which the discriminatory practice is alleged to have

occurred

[A>,<A]

[D>or<D]

[A>the judicial district<A] in which the respondent transacts

business [A>or the judicial district in which the complainant resides<A] , except any action involving a state agency or official may be brought in the superior court for the judicial district of Hartford.

Sec. 85. Section 46a-101 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) No action may be brought in accordance with section 46a-100 [A>, as amended by this act,<A] unless the complainant has received a release from the commission in accordance with the provisions of this section.

(b) The complainant and the respondent, by themselves or their attorneys, may jointly request that the complainant receive a release from the commission at any time from the date of filing the complaint. The complainant or the complainant's attorney may request a release from the commission if the complaint is still pending after the expiration of one hundred eighty days from the date of its

filing or after a

[D>merit<D]

[A>case<A] assessment review in accordance with subsection

[D>(b)<D]

[A>(c)<A] of section 46a-83, whichever is earlier. The executive director or the

executive director's designee shall conduct an expedited
[D>merit<D]
[A>case<A] assessment

review in accordance with subsection (b) of section 46a-83 if the commission receives a request for a release of jurisdiction from the complainant [D>or the complainant's attorney<D] prior to one hundred eighty days from the date a complaint is filed.

(c) The executive director of the commission shall grant a release, allowing the

complainant to bring a civil action,
[D>within<D]
[A>not later than<A] ten business days

after [A>the date of<A] receipt of the request for the release, except that if a case is scheduled for public hearing, the executive director may decline to issue a release. The commission may defer acting on a request for a release for thirty

days if the executive director of the commission, or
[D>his<D]
[A>the executivedirector's<A] designee, certifies that
[D>he has<D]
[A>there is<A] reason to believe that the

complaint may be resolved within that period.

(d) Upon granting a release, the commission shall dismiss or otherwise administratively dispose of the discriminatory practice complaint pending with the commission without cost or penalty assessed to any party.

(e) Any action brought by the complainant in accordance with section 46a-100 [A>, as

amended by this act,<A] shall be brought
[D>within<D]
[A>not later than<A] ninety days
[A> after

the date<A] of the receipt of the release from the commission.

Sec. 86. Subsection (b) of section 46a-82c of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(b) The time frame contained in subsection

[D>(b)<D]

[A>(c)<A] of section 46a-83 to conduct

a

[D>merit<D]

[A>case<A] assessment review shall be tolled if an answer is not timely

received from the date the respondent's answer is due pursuant to subsection (a) of section 46a-83 until the date the answer is actually received by the commission.

Sec. 87. Subsection (b) of section 46a-55 of the general statutes, as amended by section 11 of public act 15-18, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(b) The executive director, through the supervising attorney, may assign a commission legal counsel to represent the commission in any hearing or appeal under [A>subparagraph (A) of<A] subdivision (2) of subsection (e) of section 4-61dd.[A>Commission legal counsel may intervene as a matter of right in any such hearing or appeal without permission of the parties, a hearing officer or the court.<A]

Sec. 88. Subdivision (11) of subsection (a) of section 4a-60g of the general statutes, as amended by section 59 of this act, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(11) "Quasi-public agency" [D>means the Connecticut Health and Educational Facilities Authority, the Connecticut Higher Education Supplemental Loan Authority, the Connecticut Student Loan Corporation, the Connecticut Housing Finance Authority, the Connecticut Housing Authority, the Materials Innovation and Recycling Authority, the Connecticut Lottery Corporation, the Connecticut Airport Authority, the Health Information Technology Exchange of Connecticut, the Connecticut Health Insurance Exchange, the Connecticut Green Bank, the Connecticut Port Authority and

the State Education Resource Center<D]

[A>has the same meaning as provided in section

1-120<A] .

Sec. 89. (Effective July 1, 2015) (a) (1) Up to \$ 100,000 of the amount appropriated in section 1 of public act 13-247, as amended by public act 14-47, to the Department of Energy and Environmental Protection, for Other Expenses, for the fiscal year ending June 30, 2015, shall not lapse on June 30, 2015, and such funds shall be available for the purposes specified in subsection (b) of this section for the fiscal year ending June 30, 2016.

(2) Up to \$ 205,000 of the amount appropriated in section 1 of public act 13-247, as amended by public

act 14-47, to the Department of Energy and Environmental Protection, for Solid Waste, for the fiscal year ending June 30, 2015, shall not lapse on June 30, 2015, and such funds shall be transferred to Other Expenses, and shall be available for the purposes specified in subsection (b) of this section for the fiscal year ending June 30, 2016.

(3) Up to \$ 200,000 of the amount appropriated in section 1 of public act 13-247, as amended by public act 14-47, to the Department of Energy and Environmental Protection, for Environmental Conservation, for the fiscal year ending June 30, 2015, shall not lapse on June 30, 2015, and such funds shall be transferred to Other Expenses, and shall be available for the purposes specified in subsection (b) of this section for the fiscal year ending June 30, 2016.

(4) Up to \$ 200,000 of the amount appropriated in section 1 of public act 13-247, as amended by public act 14-47, to the Department of Energy and Environmental Protection, for Environmental Quality, for the fiscal year ending June 30, 2015, shall not lapse on June 30, 2015, and such funds shall be transferred to Other Expenses, and shall be available for the purposes specified in subsection (b) of this section for the fiscal year ending June 30, 2016.

(b) For the fiscal year ending June 30, 2016, the Department of Energy and Environmental Protection shall make the following grants: \$ 40,000 to the New London County 4-H Camp in North Franklin; \$ 135,000 for the West River Watershed Plan; \$ 300,000 to Action for Bridgeport Community Development, Inc. for its weatherization program; \$ 50,000 to provide drinking water for certain residents affected by contaminated groundwater and \$ 180,000 for the aquatic invasive species management program established in section 22a-339i of the general statutes.

Sec. 90. (Effective July 1, 2015) Up to \$ 40,000 of the amount appropriated in section 1 of public act 13-247, as amended by public act 14-47, to the Department of Energy and Environmental Protection, for Solid Waste, for the fiscal year ending June 30, 2015, shall not lapse on June 30, 2015, and such funds shall be transferred to Dam Maintenance, and shall be available during the fiscal year ending June 30, 2016, as follows: \$ 20,000 for a hydrology study in the town of Ledyard and \$ 20,000 for a hydrology study in the town of East Hampton.

Sec. 91. (Effective July 1, 2015) Up to \$ 250,000 of the amount appropriated in section 1 of public act 13-247, as amended by public act 14-47, to the Judicial Department, for Juvenile Alternative Incarceration, for the fiscal year ending June 30, 2015, shall not lapse on June 30, 2015, and such funds shall be available during the fiscal year ending June 30, 2016, for a grant to the COMPASS Youth Collaborative, Inc. Peacebuilders program.

Sec. 92. (Effective July 1, 2015) Up to \$ 1,100,000 of the amount appropriated in section 1 of public act 14-47 to the Office of Policy and Management, for Tax Relief for Elderly Renters, shall not lapse on June 30, 2015, and such funds shall be transferred to the litigation/settlement account.

Sec. 93. (Effective July 1, 2015) Notwithstanding sections 7-127d to 7-127g, to sections 7-127d to 7-127g, inclusive, of the general statutes, the sum of \$ 1,000,000 appropriated in section 1 of public act

15-244 to the Department of Education, for Neighborhood Youth Centers, for each of the fiscal years ending June 30, 2016, and June 30, 2017, shall be made available in each such fiscal year for grants to the Boys and Girls Clubs of America located within the state.

Sec. 94. (Effective July 1, 2015) The following amounts appropriated in section 1 of public act 15-244 to the Judicial Department, for Youth Services Prevention, for each of the fiscal years ending June 30, 2016, and June 30, 2017, shall be made available in each of said fiscal years for the following grants: \$ 113,110 to Boys and Girls Club of Stamford; \$ 35,000 to Archipelago Inc. - Project Music; \$ 148,110 to Faith Tabernacle Baptist Church; \$ 16,788 to Prudence Crandall Center, Inc. ; \$ 16,788 to Family Enrichment Center of the Hospital of Central Connecticut; \$ 50,000 to OIC of New Britain Inc. - Project G. R. E. A. T; \$ 50,000 to Pathways/Senderos; \$ 100,000 to Human Resources Agency of New Britain, Inc. ; \$ 35,000 to Mi Casa, Hispanic Health Council; \$ 30,000 to Charter Oak Amateur Boxing Academy and Youth Development Program (COBA); \$ 30,000 to Southwest Boys and Girls Club/ 1 Chandler Street, Hartford; \$ 34,000 to Youth Challenge; \$ 30,662 to BSL Educational Foundation of Alpha Phi Alpha, Inc. ; \$ 31,000 to Town of Windsor - Collaborative; \$ 31,000 to Supreme Being, Inc. ; \$ 25,000 to Phillips Metropolitan Christian Methodist Episcopal Church; \$ 5,000 to Windsor Troop 49; \$ 156,700 to North End Action Team; \$ 111,975 to The Village Initiative Project, Inc. - VIP College Prep and Life Skills; \$ 80,000 to Bridgeport Caribe Youth League Inc. ; \$ 31,975 to McGivney Community Center Inc. ; \$ 211,151 to Serving All Vessels Equally; \$ 60,394 to Walnut Orange Walsh Neighborhood; \$ 60,394 to St. Margaret Willow Plaza NRZ, Assoc. , Inc. ; \$ 60,394 to Hispanic Coalition of Greater Waterbury; \$ 60,394 to The Boys and Girls Club of Greater Waterbury; \$ 60,394 to Waterbury Police Activity League, Inc. ; \$ 60,394 to Rivera Memorial Foundation, Inc. ; \$ 124,004 to Dixwell Children's Creative Arts Center; \$ 50,000 to Police Athletic League of New Haven; \$ 174,004 to Arte Inc. ; \$ 50,000 to 'r Kids Family Center; \$ 74,004 to Guns Down, Books Up; \$ 50,000 to EIR Urban Youth Boxing, Inc. ; \$ 45,986 to Foster Buddies Network/Hartford Boxing Center; \$ 30,000 to Police Athletic League of Hartford; \$ 20,000 to OPMAD, Inc. ; \$ 20,000 to Samuel V. Arroyo Center, Hartford; \$ 20,000 to Wakeman Boys and Girls Club, Southport; \$ 111,975 to Walter E. Lockett, Jr. Foundation; \$ 40,538 to Little League Baseball, Inc. ; \$ 40,539 to New London Youth Football League; \$ 85,150 to East Hartford Youth Services; \$ 85,150 to Manchester Youth Service Bureau; \$ 61,975 to Boys and Girls Club of Bridgeport, Inc. ; \$ 50,000 to Bridgeport Caribe Youth League Inc. ; \$ 32,662 to Upper Albany Collaborative; \$ 20,000 to C. U. R. E. T; \$ 50,000 to Hartford Knights; \$ 20,000 to Blue Hill Civic Association; \$ 35,000 to Artists Collective; \$ 35,000 to Ebony Horsewomen; \$ 25,000 to Youth Challenge; \$ 27,662 to Goodworks, Inc. ; \$ 62,000 to M. G. L. L, Inc. ; \$ 15,000 to City of Hartford Southend Boys Scouts; \$ 45,000 to Department of Families, Children, Youth and Recreation/City of Hartford; \$ 111,975 to Kenneth R. Jacksons Mentoring Services, Inc. ; \$ 111,975 to Mount Aery Development Corporation; \$ 16,712 to Girls, Inc. ; \$ 16,712 to Boys and Girls Club of Meriden; \$ 16,712 to Beat the Street Community Center; \$ 16,712 to Meriden YMCA; \$ 16,712 to Women and Families Center; \$ 16,712 to City of Meriden/Youth Services Division; \$ 16,712 to City of Meriden/Police Cadets; \$ 16,712 to Rushford Hospital Youth Program; \$ 16,712 to New Opportunities of Greater Meriden/Boys to Men Program.

Sec. 95. (Effective July 1, 2015) For the biennium ending June 30, 2017, the Department of Social Services shall provide grants under the Fatherhood Initiative Program proportionately to the same providers that received funding for said program in the fiscal year ending June 30, 2015.

Sec. 96. (Effective July 1, 2015) The amounts appropriated in section 1 of public act 15-244 to the Labor Department, for Cradle to Career, for the fiscal years ending June 30, 2016, and June 30, 2017, shall be available for the following grants: \$ 50,000 to the United Way of Coastal Fairfield County in Bridgeport; \$ 50,000 to the Stepping Stones Museum for Children in Norwalk on behalf of Norwalk ACTS; \$ 50,000 to United Way of Western Connecticut in Danbury; and \$ 50,000 to the Bridge to Success Community Partnership in Waterbury, for the purpose of establishing a public-private partnership with community organizations to improve the Cradle to Career Network.

Sec. 97. Subsection (d) of section 10-183t of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(d) The Treasurer shall establish a separate retired teachers' health insurance premium account within the Teachers' Retirement Fund. Commencing July 1, 1989, and annually thereafter all health benefit plan contributions withheld under this chapter in excess of five hundred thousand dollars shall, upon deposit in the Teachers' Retirement Fund, be credited to such account. Interest derived from the investment of funds in the account shall be credited to the account. Funds in the account shall be used for (1) payments to boards of education pursuant to subsection (c) of this section and for payment of premiums on behalf of members, spouses of members, surviving spouses of members or disabled dependents of members participating in one or more health insurance plans pursuant to subsection (a) of this section in an amount equal to the difference between the amount paid pursuant to subsection (a) of this section and the amount paid pursuant to subsection (c) of this section, and (2) payments for professional fees associated with the administration of the health benefit plans offered pursuant to this section [A>.<A] [D>of not more than one hundred fifty thousand dollars annually.<D] If, during any fiscal year, there are insufficient funds in the account for the purposes of all such payments, the General Assembly shall appropriate sufficient funds to the account for such purpose.

Sec. 98. Section 10-183r of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

The system shall be funded as follows:

(1) Except as provided in subdivision (3) of this [D>subsection<D] [A>section<A] , all

expenses of the administration of the system, exclusive of payment of benefits, shall be paid for out of amounts appropriated by the General Assembly on certifications and recommendations submitted by the board.

(2) The cost of all benefits payable from the system shall be paid out of the retirement fund which shall consist of contributions paid by members, appropriations by the General Assembly based upon certifications and recommendations submitted by the board, the proceeds of bonds held by the system under section 10-183m, the proceeds of bonds issued pursuant to section 10-183qq and earnings of the system.

(3) Professional fees associated with the administration of the health benefit plans offered pursuant to section 10-183t [A>, as amended by this act,<A] [D>of not more than one hundred fifty thousand dollars annually<D] may be paid for out of the retired teachers' health insurance premium account established pursuant to said section 10-183t.

Sec. 99. Section 2-71p of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) As used in this section, unless the context indicates a different meaning, "supplies", "materials" and "equipment" mean any and all articles of personal property furnished to or used by the Legislative Department, including all printing, binding, publication of laws, stationery, forms and reports; "contractual services" means any and all laundry and cleaning service, pest control service, janitorial service, security service, the rental and repair, or maintenance, of equipment, machinery and other state-owned personal property, advertising and photostating, mimeographing, data entry, data processing and other similar service arrangements where the services are provided by persons other than state employees; "competitive bidding" means the submission of prices by persons, firms or corporations competing for a contract to provide supplies, materials, equipment or contractual services, under a procedure in which the contracting authority does not negotiate prices; "competitive negotiation" means a procedure for contracting for supplies, materials, equipment or contractual services, in which (1) proposals are solicited from qualified suppliers by a request for proposals [A>,<A] and (2) changes may be negotiated in proposals and prices after being submitted; "bidder" means a person, firm or corporation submitting a competitive bid in response to a solicitation; and "proposer" means a person, firm or corporation submitting a proposal in response to a request for proposals.

(b) (1) All purchases of, and contracts for, supplies, materials, equipment and contractual services required by the Legislative Department, except purchases made pursuant to subsection (c) of this section and public utility services as provided in subsection (e) of this section [A>,<A] and (2) all sales by said department of such personal property which has become obsolete, unserviceable or unusable, shall be based, when possible, on competitive bids or competitive negotiation, provided in the case of such sales, the Joint Committee on Legislative Management may, in its discretion, sell the property at public auction. The committee shall solicit competitive bids or proposals by sending notices to prospective suppliers and by posting notice on a public bulletin board in a building under the supervision and control of the Joint Committee on Legislative Management. Each bid and proposal shall be kept sealed or secured until opened publicly at the time stated in the notice soliciting such bid. If the amount of the expenditure or sale is estimated to exceed fifty thousand dollars, competitive bids or proposals shall be solicited by public notice, inserted at least once in not fewer than three daily newspapers published in

the state, and at least five calendar days before the final date for submitting bids. All purchases or sales of ten thousand dollars or less in amount shall be made in the open market, but shall be based, when possible, on at least three competitive quotations.

(c) The committee may waive the requirement of competitive bidding or competitive negotiation in the case of minor nonrecurring and emergency purchases of ten thousand dollars or less in amount. The committee shall adopt guidelines establishing (1) standards and procedures for using competitive negotiation for purchases and contracts, including but not limited to, criteria which shall be considered in making purchases by competitive negotiation and the weight which shall be assigned to each such criterion [A>,<A] and (2) standards and procedures under which additional purchases may be made under existing contracts.

(d) Whenever an emergency exists by reason of extraordinary conditions or contingencies that could not reasonably be foreseen and guarded against, or because of unusual trade or market conditions, the committee may, if it is for the best interest of the state, waive the requirement that purchases be based on competitive bids or competitive negotiation as provided in this section. A statement of all such purchases and sales made under the provisions of this subsection shall be set forth in the annual report of the committee.

(e) The purchase of or contract for the following public utility services shall not be subject to competitive bidding or competitive negotiation: (A) Electric distribution services; (B) water services; (C) gas distribution services; (D) electric generation services until the date such services are competitive pursuant to the schedule set forth in section 16-244b, provided electric generation services shall be exempt from competitive bidding and competitive negotiation after said date if such services are provided by an electric municipal utility other than by a participating electric municipal utility, as defined in section 16-1, in the service area of said electric municipal utility; and (E) gas supply services until the date such services are competitive pursuant to legislative act or order of the Public Utilities Regulatory Authority, provided gas supply services shall be exempt from competitive bidding and competitive negotiation after said date if such services are provided by a gas municipal utility in the service area of said gas municipal utility.

(f) As used in this section, (1) "lowest responsible qualified bidder" means the bidder whose bid is the lowest of those bidders possessing the skill, ability and integrity necessary to faithful performance of the work based on objective criteria considering past performance and financial responsibility, and (2) "highest scoring bidder in a multiple criteria bid" means the bidder whose bid receives the highest score for a combination of attributes, including, but not limited to, price, skill, ability and integrity necessary for the faithful performance of the work, based on multiple criteria considering quality of product, warranty, life-cycle cost, past performance, financial responsibility and other objective criteria that are established in the bid solicitation for the contract. Bidders shall submit with their bids essential information concerning their qualifications, in such form as the committee may require by specification in the bid documents. The committee may waive minor irregularities in bids and proposals if it determines that such a waiver would be in the best interest of the

state. As used in this subsection, the term "minor irregularities"

[D>shall<D]

[A>does<A]

not include [A>payment of less than the wage required under subsection (i) of this section,<A] variations in the quality, unit price or date of delivery or completion of supplies, materials, equipment or contractual services, or exceptions to programs required under the general statutes. The committee shall state the reasons for any such waiver in writing and include such statement in the contract file.

(g) All open market orders or contracts shall be awarded to (1) the lowest responsible qualified bidder, the qualities of the articles to be supplied, their conformity with the specifications, their suitability to the requirements of the state government and the delivery terms being taken into consideration and, at the discretion of the committee, life-cycle costs and trade-in or resale value of the articles may be considered where it appears to be in the best interest of the department, (2) the highest scoring bidder in a multiple criteria bid, in accordance with the criteria set forth in the bid solicitation, or (3) the proposer whose proposal is deemed by the committee to be the most advantageous to the department, in accordance with the criteria set forth in the request for proposals, including price and evaluation factors. In considering past performance of a bidder for the purpose of determining the "lowest responsible qualified bidder" or the "highest scoring bidder in a multiple criteria bid", the committee shall evaluate the skill, ability and integrity of the bidder in terms of the bidder's fulfillment of past contract obligations and the bidder's experience or lack of experience in delivering supplies, materials, equipment or contractual services of the size or amount for which bids have been solicited. If any such bidder refuses to accept, within ten days, a contract awarded to such bidder, such contract may be awarded to the next lowest responsible qualified bidder or the next highest scoring bidder in a multiple criteria bid, whichever is applicable, and so on until such contract is awarded and accepted. If any such proposer refuses to accept, within ten days, a contract awarded to such proposer, such contract shall be awarded to the next most advantageous proposer, and so on until the contract is awarded and accepted. There shall be a written evaluation made of each bid. This evaluation shall: Identify the vendors and their respective costs and prices; document the reason why any vendor is deemed to be nonresponsive; and recommend a vendor for award. The committee shall submit to the Auditors of Public Accounts an annual report of all awards made pursuant to the provisions of this section.

(h) When, in the opinion of the committee, the best interest of the state will be served thereby, it may order that any or all bids or proposals may be rejected. If all bids or proposals are so rejected, the committee shall advertise again for bids or proposals and such bids or proposals shall be opened, awarded and approved in like manner as provided in this section. If all bids or proposals received on a pending contract are for the same unit price or total amount, the committee may order the rejection of all bids or proposals and purchase of the required supplies, materials, equipment or contractual services in the open market, provided the price paid in the open market shall not exceed the bid price. Each bid or proposal, with the name of the bidder or proposer, shall be entered on a record, and each record, with the successful bid or proposal indicated thereon, shall, after the award of the order or contract, be open

to public inspection.

[A>(i) Each contract for contractual services entered into by the committee on and after July 1, 2015, shall require the contractor awarded such contract, and each subcontractor of such contractor, to pay each of the contractor's or subcontractor's employees providing services under such contract, and that are performed or rendered at the Legislative Office Building, the State Capitol or the Old State House, a wage of at least (1) fifteen dollars per hour, or (2) if applicable, the amount required to be paid under subsection (b) of section 31-57f, whichever is greater. The provisions of this subsection shall not apply to any employee providing services under such contract who receives services from the Department of Developmental Services.<A]

[D>(i)<D]

[A>(j)<A] Any purchase or contract for supplies, materials, equipment or contractual services contrary to the provisions of this section shall be void and of no effect.

Sec. 100. Section 2-71t of the general statutes is amended by adding subsection (g) as follows (Effective July 1, 2015):

(NEW) (g) Each personal service agreement executed by the committee under this section on and after July 1, 2015, regardless of whether such agreement was based on competitive negotiation or competitive quotations, shall require each personal service contractor, and each subcontractor of such contractor, to pay each of the contractor's or subcontractor's employees providing services under such agreement, and that are performed or rendered at the Legislative Office Building, the State Capitol or the Old State House, a wage of at least (1) fifteen dollars per hour, or (2) if applicable, the amount required to be paid under subsection (b) of section 31-57f, whichever is greater. The provisions of this subsection shall not apply to any employee providing services under such agreement who receives services from the Department of Developmental Services.

Sec. 101. Section 2-71u of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

[D>The<D]

[A>(a) Except as provided in subsection (b) of this section, the<A] committee may

extend a personal service agreement, as defined in subsection (a) of section 2-71t, or a contract based on competitive negotiation, as defined in subsection (a) of section 2-71p, without complying with the requirements of said sections, if the committee finds that an extension is in the best interests of the

state. Such finding shall be based on a written determination that: (1) Issuing a request for proposals would cause a hardship for the state; (2) issuing a request for proposals would result in a major increase in the cost of such service; (3) the contractor is the sole source for such service; (4) the expiring contract is for a specific project, rather than an ongoing need for a service, which is still in progress; or (5) the expiring contract is for no more than three years and a change in contractors would entail substantial cost or disruption. No agreement or contract may be extended more than one time under this section.

[A>(b) On and after July 1, 2015, the committee shall not extend any personal service agreement or contract based on competitive negotiation under subsection (a) of this section unless such agreement or contract requires, or is modified to require, the personal service contractor or contractor, and each subcontractor of such personal service contractor or contractor, to pay each of the personal service contractor's, contractor's or subcontractor's employees providing services under such agreement or contract, and that are performed or rendered at the Legislative Office Building, the State Capitol or the Old State House, a wage of at least (1) fifteen dollars per hour, or (2) if applicable, the amount required to be paid under subsection (b) of section 31-57f, whichever is greater. The provisions of this subsection shall not apply to any employee providing services under such agreement or contract who receives services from the Department of Developmental Services.<A]

Sec. 102. Subsection (a) of section 16-1 of the general statutes, as amended by sections 2 and 3 of public act 15-107, is amended by adding subdivisions (49) and (50) as follows (Effective July 1, 2015):

(NEW) (49) "Distributed energy resource" means any (A) customer-side distributed resource or grid-side distributed resource that generates electricity from a Class I renewable energy source or Class III source, and (B) customer-side distributed resource that reduces demand for electricity through conservation and load management, energy storage system which is located on the customer-side of the meter or is connected to the distribution system or microgrid.

(NEW) (50) "Grid-side system enhancement" means an investment in distribution system infrastructure, technology and systems designed to enable the deployment of distributed energy resources and allow for grid management and system balancing, including, but not limited to, energy storage systems, distribution system automation and controls, intelligent field systems, advanced distribution system metering, and communication and systems that enable two-way power flow.

Sec. 103. (NEW) (Effective July 1, 2015) (a) Notwithstanding subsection (a) of section 16-244e of the general statutes, each electric distribution company, as defined in section 16-1 of the general statutes, as amended by this act, shall submit a proposal or proposals to the Department of Energy and Environmental Protection for a pilot program to build, own or operate grid-side system enhancements, including, but not limited to, energy storage systems, as defined in section 16-1 of the general statutes, as amended by this act, for the purpose of demonstrating and investigating how distributed energy resources, as defined in said section 16-1, can be reliably and efficiently integrated into the operation of the electric distribution system in a manner that maximizes the value provided to the electric grid, electric ratepayers and the public from such resources. Such proposal shall complement and enhance the

programs, products and incentives available through the Connecticut Green Bank and the Connecticut Energy Efficiency Fund, pursuant to sections 16-244r, 16-244s and 16-244t of the general statutes, and other similar programs that support the deployment of distributed energy resources.

(b) The department shall evaluate such proposals and may approve such proposals if such proposals demonstrate: (1) How grid-side system enhancements, including, but not limited to, energy storage systems, can be reliably and cost-effectively integrated into the electric distribution system; and (2) that such proposals maximize the value provided to ratepayers. Any proposal that is approved by the department shall be subject to review and approval by the Public Utilities Regulatory Authority, and shall be approved by the authority if the authority concludes that investment in such grid-side system enhancement is reasonable, prudent and provides value to ratepayers.

(c) Each electric distribution company may enter into joint ownership agreements, partnerships or other contractual agreements for services with private entities to carry out the provisions of this section. The costs incurred by the electric distribution companies pursuant to this section shall be recovered from all customers of the contracting electric distribution company through a fully reconciling component of electric rates for all customers of electric distribution companies, until the electric distribution company's next rate case, at which time such costs and investments shall be recoverable through base distribution rates.

(d) Not later than January 1, 2017, the department shall evaluate such approved proposals pursuant to this section and submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to energy, regarding the performance, costs and benefits associated with grid-side system enhancements, including, but not limited to, energy storage systems procured pursuant to this section.

Sec. 104. Subdivision (57) of section 12-81 of the general statutes is amended by adding subparagraph (F) as follows (Effective from passage):

(NEW) (F) For assessment years commencing on and after October 1, 2015, any municipality may, by vote of its legislative body or, in a municipality where the legislative body is a town meeting, by vote of the board of selectmen, abate up to one hundred per cent of the property taxes due for any tax year, for not longer than the term of the power purchase agreement, with respect to any Class I renewable energy source, as defined in section 16-1, as amended by this act, that is the subject of such power purchase agreement approved by the Public Utilities Regulatory Authority pursuant to section 16a-3f.

Sec. 105. (NEW) (Effective July 1, 2015) (a) As used in this section:

(1) "Residential fixed charge" means any fixed fee charged to residential electric customers, including, but not limited to, (A) a fixed charge for distribution basic service, (B) a distribution customer service charge, (C) a customer charge, or (D) a basic service fee which is separate and distinct from any distribution charge per kilowatt-hour.

(2) "Electric distribution company" has the same meaning as provided in section 16-1 of the general

statutes, as amended by this act.

(b) The Public Utilities Regulatory Authority shall adjust each electric distribution company's residential fixed charge upon such company's filing with the authority an amendment of rate schedules pursuant to section 16-19 of the general statutes to recover only the fixed costs and operation and maintenance expenses directly related to metering, billing, service connections and the provision of customer service.

(c) The provisions in subsection (b) of this section shall not permit or enable the authority to cause a cost shift to other rate classes.

(d) This section shall not apply to electric customers that subscribe to a residential electric heating service rate class.

Sec. 106. (NEW) (Effective July 1, 2015, and applicable to assessment years commencing on or after October 1, 2015) Any municipality may, by vote of its legislative body or, in a municipality where the legislative body is a town meeting, by vote of the board of selectmen, abate up to one hundred per cent of the property taxes due for any tax year, for not more than twenty-five tax years, with respect to personal property of any gas company, as defined in section 16-1 of the general statutes, as amended by this act, in order to facilitate natural gas expansion projects in such municipality. The gas company shall include the amount of such abatement when calculating the hurdle rate pursuant to section 16-19ww of the general statutes for gas expansion projects within such municipality.

Sec. 107. Section 16a-41b of the general statutes is amended by adding subsection (e) as follows (Effective October 1, 2015):

(NEW) (e) The Low-Income Energy Advisory Board shall convene and devise recommendations to improve the implementation of heating assistance programs, particularly those created to benefit low-income households, through coordination and optimization of existing energy efficiency and energy assistance programs. Such recommendations shall consider: (1) How the Department of Energy and Environmental Protection, Department of Social Services, community action agencies, as defined by section 17b-885, electric distribution companies, as defined by section 16-1, as amended by this act, and municipal electric utilities, as defined by section 7-233b, can securely share heating assistance program applicant data, with respect to customer energy usage levels, past participation and eligibility for energy assistance and energy efficiency programs, and other data deemed relevant to improve coordination among such programs and program administrators; (2) the costs and benefits of current energy assistance and energy efficiency programs and how to maximize customer benefits through such customers' participation in any combination of energy assistance and energy efficiency programs; (3) how to streamline the application process for energy assistance and energy efficiency program applicants and the possible development of joint electronic applications; (4) how to make energy assistance and energy efficiency programs more accessible and feasible for tenants in rental housing units, including, but not limited to, how to best secure landlord permission for such services; and (5) coordination efforts to best improve boiler and furnace replacement programs. Not later than January 1, 2016, the Low-Income Energy Advisory Board shall report such recommendations, in accordance with

section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to energy, appropriations and human services.

Sec. 108. Subsection (o) of section 16-245o of the general statutes, as amended by section 2 of public act 15-90, is repealed and the following is substituted in lieu thereof (Effective from passage):

(o) On or before October 1, 2015, the Public Utilities Regulatory Authority shall initiate a proceeding to develop recommendations and guidance regarding (1) what type of generation services rate structure is best suited for residential customers who allow a fixed contract with an electric supplier to expire and begin paying a month-to-month rate for generation services from such supplier; and (2) what ~~[D>rate increase is just and reasonable if a generation services rate increase~~

~~is necessary<D]~~

~~[A>change to the generation services rate and to the terms and~~

~~conditions of such service that customers may experience<A]~~ after the expiration of

a fixed contract

~~[D>and<D]~~

~~[A>when<A]~~ such

~~[D>customer begins<D]~~

~~[A>customers begin<A]~~ paying a

month-to-month rate. The authority shall report, in accordance with the provisions of section 11-4a, the findings of such proceeding to the joint standing committee of the General Assembly having cognizance of matters relating to energy, on or before January 1, 2016.

Sec. 109. Section 7-222 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) The price to be charged to persons or corporations for gas or electricity shall be fixed and shall not be changed more often than once in three months. Any change shall take effect on the first day of the month, and the new price adopted shall, before the change takes effect, be advertised at least one month in some newspaper published in the municipality where the plant is located and, if none is published therein, in some newspaper published in the county where the plant is situated. Such price shall be fixed on a basis of not less than a net profit per year of five per cent on the cost of the investment in plant made by the municipality and also depreciation of the plant at not less than five per cent per annum of its cost, and the price shall not be greater than to allow a net profit of eight per cent per annum to the municipality on such cost. In fixing such basis on which to establish the price to be charged to persons and corporations, the gas and electricity used by the municipality shall be charged to it at cost. A sufficient deposit to cover the payment for gas or electricity for three months may be required

in advance from any taker, and the supply may be shut off from any premises until all arrearages for gas or electricity furnished thereon are paid.[A>Such deposit may be made by cash, letter of credit or surety bond.<A] After three months' default in payment of such arrearages, all appliances for distribution on such premises belonging to the municipality may be removed and after such removal shall not be restored, except on payment of all such arrearages and a sufficient sum to cover all expenses incurred by the removal and restoration, with the penalty which the municipality may impose in such cases.

(b) The provisions of this section shall not apply to the sale of compressed natural gas.

[A>(c) Each member municipal electric utility of a municipal electric energy cooperative, as defined in section 7-233b, may return fifty per cent of the deposit, as described in subsection (a) of this section, to each nonresidential electric customer if such customer's account remains in good standing for two years.<A]

Sec. 110. Subdivision (5) of subsection (b) of section 4-66 I of the general statutes, as amended by section 207 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(5) (A) For the fiscal year ending June 30, 2017, three million dollars shall be expended by the secretary for the purposes of the regional services grants pursuant to subsection (e) of this section to the regional councils of governments[A>,<A] [D>on a per capita basis, as determined by the most recent population estimate of the Department of Public Health<D] and (B) for the fiscal year ending June 30, 2018, and each fiscal year thereafter, seven million dollars shall be expended for the purposes of the regional services grants pursuant to subsection (e) of this section to the regional councils of governments [A>,<A] [D>on a per capita basis, as determined by the most recent population estimate of the Department of Public Health;<D] and

Sec. 111. Subsection (e) of section 4-66 I of the general statutes, as amended by section 207 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(e) For the fiscal year ending June 30, 2017, and each fiscal year thereafter, each regional council of governments shall receive a regional services grant [A>, the amount of which will be based on a formula to be determined by the secretary<A] . No such council shall receive a grant for the fiscal year ending June 30, 2018, or any fiscal year thereafter, unless the secretary approves a spending plan for such grant moneys submitted by such council to the secretary on or before July 1, 2017, and annually thereafter. The regional councils of governments shall use such grants for planning purposes and to achieve efficiencies in the delivery of municipal services by regionalizing such services, including, but not limited to, region-wide consolidation of such services. Such efficiencies shall not diminish the quality of such services. A unanimous vote of the representatives of such council shall be required for approval of any expenditure from such grant. On or before October 1, 2017, and biennially thereafter, each such council shall submit a report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to planning and development and finance,

revenue and bonding. Such report shall summarize expenditure of such grants and provide recommendations concerning the expansion, reduction or modification of such grants.

Sec. 112. (NEW) (Effective October 1, 2015) (a) For the purposes of this section, "employee welfare fund" shall have the same meaning as provided in subsection (i) of section 31-53 of the general statutes.

(b) Any payment to an employee welfare fund that is past due under the terms of a written contract or rules and regulations adopted by the trustees of such funds shall be considered wages for the purpose of section 31-72 of the general statutes.

(c) (1) Any sole proprietor or general partner, or officer, director or member of a corporation or limited liability company, who fails to make such payment when due to an employee welfare fund under the terms of a written contract or rules and regulations adopted by the trustees of such fund, or (2) any employee of a corporation or limited liability company who has been designated by the corporation or limited liability company to make such payment and who fails to make such payment when due to an employee welfare fund shall be personally liable in a civil action for payment of the amount due such fund, as well as court costs and reasonable attorney's fees.

Sec. 113. (NEW) (Effective January 1, 2016) (a) As used in this section, the following terms shall have the following meanings:

(1) "Capital project" means any acquisition, construction, rehabilitation or remodeling of any structure used or intended to be used for commercial purposes that is financed in whole or in part with funds or property from or arranged by the state, including, but not limited to, grants, loans, bonds, revenue bonds, tax increment financing, conveyance of real property or other means;

(2) "Concession area" means a space or privilege granted within or upon a premises that is used for the purpose of a subsidiary business or service;

(3) "Contractor" means a business entity or individual who is awarded a hospitality project contract;

(4) "Hospitality project" means any (A) capital project involving a restaurant, bar, club, cafeteria or other food and beverage operation within or upon the premises of a hotel, or (B) concession area used to provide food and beverage or news or gift services within or upon the premises of a state-owned or operated facility that is financed or contracted for by the state;

(5) "Hotel" means a commercial establishment where sleeping accommodations are offered for pay to transient guests;

(6) "Labor peace agreement" means an agreement between a contractor, and any subcontractor thereof, and a labor organization representing hotel or concession area employees in the state that requires the labor organization and its members to refrain from engaging in labor activity that may disrupt the operations of the hotel or concession area, including, but not limited to, strikes, boycotts, work stops and picketing;

(7) "State" means the state of Connecticut; and

(8) "Substantial proprietary interest" means (A) a financial investment by the state of not less than six million dollars in any hospitality project, or twenty per cent of the cost of such project, whichever is less, in which the state shall be reimbursed under the terms of a finance agreement, or (B) any contract, lease or license entered into or issued pursuant to a hospitality project in which the state is entitled to receive rents, royalties or other payments in connection with a property provided by the state and based on the revenue of such hospitality project.

(b) For any hospitality project entered into on or after January 1, 2016, in which the state holds a substantial proprietary interest, the state shall require any contract for hotel or concession area operation or management services pursuant to such project to include a labor peace agreement between the contractor and any subcontractor, tenant or licensee thereof providing such operation or services and the labor organization representing or seeking to represent the employees of such hotel or concession area. Such labor peace agreement shall remain in effect until such time as the state's financial investment has been fully repaid.

Sec. 114. (NEW) (Effective July 1, 2015) (a) For purposes of this section:

(1) "Youth athletic activity" means an organized athletic activity involving participants of not less than seven years of age and not more than nineteen years of age, who (A) (i) engage in an organized athletic game or competition against another team, club or entity or in practice or preparation for an organized game or competition against another team, club or entity, or (ii) attend an organized athletic camp or clinic the purpose of which is to train, instruct or prepare such participants to engage in an organized athletic game or competition, and (B) (i) pay a fee to participate in such organized athletic game or competition or attend such camp or clinic, or (ii) whose cost to participate in such athletic game or competition or attend such camp or clinic is sponsored by a municipality, business or nonprofit organization. "Youth athletic activity" does not include any college or university athletic activity, or an athletic activity that is incidental to a nonathletic program or lesson; and

(2) "Operator" means any municipality, business or nonprofit organization that conducts, coordinates, organizes or otherwise oversees any youth athletic activity but shall not include any municipality, business or nonprofit organization solely providing access to, or use of, any field, court or other recreational area, whether for compensation or not.

(b) Not later than January 1, 2016, and annually thereafter, each operator of a youth athletic activity shall make available a written or electronic statement regarding concussions to each youth athlete and a parent or legal guardian of each youth athlete participating in the youth athletic activity. Such written or electronic statement shall be made available upon registration of each youth athlete and shall be consistent with the most recent information provided by the National Centers for Disease Control and Prevention regarding concussions. Such written or electronic statement shall include educational content addressing, at a minimum: (1) The recognition of signs or symptoms of a concussion, (2) the means of

obtaining proper medical treatment for a person suspected of sustaining a concussion, (3) the nature and risks of concussions, including the danger of continuing to engage in youth athletic activity after sustaining a concussion, and (4) the proper procedures for allowing a youth athlete who has sustained a concussion to return to athletic activity.

(c) No operator, or designee of such operator, shall be subject to civil liability for failing to make available the written or electronic statement regarding concussions pursuant to subsection (b) of this section.

Sec. 115. Subsection (a) of section 10-149b of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) (1) For the school year commencing July 1, 2010, and each school year thereafter, any person who holds or is issued a coaching permit by the State Board of Education and is a coach of intramural or interscholastic athletics shall complete an initial training course regarding concussions, ~~[D>which are a type of brain injury,<D]~~ developed or approved pursuant to subdivision (1) of subsection (b) of this section, prior to commencing the coaching assignment for the season of such school athletics.

(2) For the school year commencing July 1, 2014, and each school year thereafter, any coach who has completed the initial training course described in subdivision (1) of this subsection shall annually review current and relevant information regarding concussions, prepared or approved pursuant to subdivision (2) of subsection (b) of this section, prior to commencing the coaching assignment for the season of such school athletics. Such annual review shall not be required in any year when such coach is required to complete the refresher course, pursuant to subdivision (3) of this subsection, for reissuance of his or her coaching permit.

(3) For the school year commencing July 1, 2015, and each school year thereafter, a coach shall complete a refresher course, developed or approved pursuant to subdivision (3) of subsection (b) of this section, not later than five years after completion of the initial training course, as a condition of the reissuance of a coaching permit to such coach. Such coach shall thereafter retake such refresher course at least once every five years as a condition of the reissuance of a coaching permit to such coach.

Sec. 116. (NEW) (Effective July 1, 2015) (a) There is established the Aquaculture Advisory Council. Such council shall be composed of the following members: (1) Three appointed by the Governor, one of whom shall be a representative of the shellfisheries industry who is licensed to operate less than one thousand acres of shellfish beds, one of whom shall be a representative from a marine habitat conservation organization and one of whom shall be a scholar in marine studies; (2) two appointed by the speaker of the House of Representatives, one of whom shall be a chief executive officer of a coastal municipality that is located west of the Connecticut River; (3) one appointed by the president pro tempore of the Senate who shall be a recreational shellfisherman; (4) one appointed by the majority leader of the House of Representatives who shall be a chief executive officer of a coastal municipality that is located east of the Connecticut River; (5) one appointed by the majority leader of the Senate who shall be a representative of the shellfisheries industry who is licensed to operate two thousand five

hundred acres or more of shellfish beds; (6) one appointed by the minority leader of the House of Representatives who shall be a representative of a shellfish commission; (7) one appointed by the minority leader of the Senate who shall be a representative of the shellfisheries industry who is licensed to operate one thousand or more but less than two thousand five hundred acres of shellfish beds; (8) the Commissioner of Agriculture, or the commissioner's designee; (9) the Commissioner of Public Health, or the commissioner's designee; and (10) the Commissioner of Energy and Environmental Protection, or the commissioner's designee. Appointments shall be made not later than October 1, 2015. The Governor shall designate the chairperson of the council and the council shall elect a vice-chairperson from among its members. The council shall be located in the Agricultural Experiment Station for administrative purposes only.

(b) The Aquaculture Advisory Council shall: (1) Develop a recommended plan to expand the shellfish industry in Connecticut; (2) provide recommendations on procedures for the public availability of maps indicating the names of state shellfish bed lessees; (3) review the state shellfish leasing process and make recommendations to the Governor and to the joint standing committee of the General Assembly having cognizance of matters relating to the environment for any recommended changes to such leases or lease processes; (4) review health and safety standards pertaining to the state's shellfish industry; (5) review existing laws and procedures pertaining to recreational shellfishing in Connecticut; (6) review other coastal states' laws and regulations pertaining to shellfish sizes and make recommendations for changes to Connecticut's shellfish size law; (7) coordinate with other states to inform recommendations on how to further develop the state's shellfish industry; and (8) provide recommendations on policies of the Department of Agriculture's Bureau of Aquaculture.

(c) The advisory council shall meet quarterly. Not later than July 1, 2016, and annually thereafter, the council shall submit a report on the status of the state's shellfish industry and any attendant recommendations to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to the environment, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 117. Section 4-61dd of the general statutes is amended by adding subsection (l) as follows (Effective July 1, 2015):

(NEW) (l) (1) No officer or employee of a state shellfish grounds lessee shall take or threaten to take any personnel action against any employee of a state shellfish grounds lessee in retaliation for (A) such employee's disclosure of information to an employee of the leasing agency concerning information involving the state shellfish grounds lease, or (B) such employee's testimony or assistance in any proceeding under this section.

(2) (A) Not later than ninety days after learning of the specific incident giving rise to a claim that a personnel action has been threatened or has occurred in violation of subdivision (1) of this subsection, an employee of a state shellfish grounds lessee or the employee's attorney may file a complaint against the state shellfish grounds lessee concerning such personnel action with the Chief Human Rights

Referee designated under section 46a-57. Such complaint may be amended if an additional incident giving rise to a claim under this subdivision occurs subsequent to the filing of the original complaint. The Chief Human Rights Referee shall assign the complaint to a human rights referee appointed under section 46a-57, who shall conduct a hearing and issue a decision concerning whether the officer or employee taking or threatening to take the personnel action violated any provision of this subsection. The human rights referee may order a state shellfish grounds lessee to produce (i) an employee of such lessee to testify as a witness in any proceeding under this subdivision, or (ii) books, papers or other documents relevant to the complaint, without issuing a subpoena. If such state shellfish grounds lessee fails to produce such witness, books, papers or documents, not later than thirty days after such order, the human rights referee may consider such failure as supporting evidence for the complainant. If, after the hearing, the human rights referee finds a violation, the referee may award the aggrieved employee reinstatement to the employee's former position, back pay and reestablishment of any employee benefits for which the employee would otherwise have been eligible if such violation had not occurred, reasonable attorneys' fees and any other damages. For the purposes of this subsection, such human rights referee shall act as an independent hearing officer. The decision of a human rights referee under this subsection may be appealed by any person who was a party at such hearing, in accordance with the provisions of section 4-183.

(B) The Chief Human Rights Referee shall adopt regulations, in accordance with the provisions of chapter 54, establishing the procedure for filing complaints and noticing and conducting hearings under subparagraph (A) of this subdivision.

(3) As an alternative to the provisions of subdivision (2) of this subsection, an employee of a state shellfish grounds lessee who alleges that a personnel action has been threatened or taken may, after exhausting all available administrative remedies, bring a civil action in accordance with the provisions of subsection (c) of section 31-51m.

(4) In any proceeding under subdivision (2) or (3) of this subsection concerning a personnel action taken or threatened against any employee of a state shellfish grounds lessee, which personnel action occurs not later than two years after the employee first transmits facts and information to an employee of the leasing agency concerning the state shellfish grounds lease, there shall be a rebuttable presumption that the personnel action is in retaliation for the action taken by the employee under subdivision (1) of this subsection.

Sec. 118. (Effective from passage) Not later than January 1, 2016, the Commissioner of Agriculture, in accordance with the provisions of section 11-4a of the general statutes, and after consultation with the Commissioner of Public Health, shall submit to the joint standing committee of the General Assembly having cognizance of matters relating to the environment a report concerning the need for and viability of establishing a laboratory located east of the Connecticut River for the testing of shellfish. Such report shall include, but not be limited to, a description of the requisite laboratory testing for shellfish as prescribed by the Department of Public Health, the Department of Agriculture, federal law and any other provision of law, an explanation of any standards that any such laboratory is required to meet, a

description of any requisite equipment and facilities required to perform such testing, a listing of the qualifications that any person who performs such testing is required to possess, an assessment of the adequacy of existing state facilities to perform such testing for the state's shellfish industry, the volume of such testing that could occur at a facility established at a location east of the Connecticut River and identification of any existing privately owned facilities, state resources or state facilities that could adequately and appropriately provide a location for such testing at a location east of the Connecticut River, including, but not limited to, a cost-benefit analysis for modifying any such existing state resources or facilities to provide for such testing at a location east of the Connecticut River.

Sec. 119. Section 22-4b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

The Commissioner of Agriculture may designate as

[D>his<D]

[A>an<A] agent

[A>of the

commissioner:<A] (1)

[D>any<D]

[A>Any<A] deputy commissioner

[A>or any employee of the

department<A] to exercise all or part of the authority, powers and duties of said

commissioner in

[D>his<D]

[A>the<A] absence

[D>or<D]

[A>of the commissioner,<A] (2) any deputy

commissioner or any employee, assistant or agent employed by the Department of Agriculture to exercise such authority of the Commissioner of Agriculture as [D>he<D] [A>the commissioner<A] delegates for the administration or enforcement of any applicable statute, regulation, permit or order [A>, (3) any deputy commissioner, employee, assistant or agent employed by the Department of Agriculture who is deemed qualified by the commissioner to act as a hearing officer in administrative hearings, (4) two or more qualified persons, one of whom shall be designated as the presiding officer to conduct administrative hearings, and (5) any qualified person to serve as a hearing officer for contested cases who may be compensated for such service. Any such hearing officer appointed by the commissioner shall render a proposed final decision or the final decision as directed by the commissioner except that the commissioner or deputy commissioner shall consider and make the final decision when modification or reconsideration of a contested case is requested by a party pursuant to section 4-181a<A] .

Sec. 120. Section 22-6 of the general statutes is repealed and the following is substituted in lieu thereof (

Effective October 1, 2015):

The Commissioner of Agriculture shall be the administrative head of the Department

of Agriculture.

[D>He<D]

[A>The commissioner<A] shall encourage and promote the development

of agriculture within the state and collect and publish information and statistics in regard to the agricultural and animal industries and interests of the state and

submit the same to the Governor in

[D>his<D]

[A>an<A] annual report.

[D>He<D]

[A>The commissioner<A]

shall, annually, visit different sections of the state and investigate the methods and wants of practical husbandry, the adaptation of agricultural products to soil, climate and markets, and, as far as practicable, visit agricultural fairs within the state, encourage the establishment of farmers' clubs, agricultural libraries and reading rooms and disseminate agricultural information by lectures or

otherwise. In cooperation with The University of Connecticut,

[D>he<D]

[A>the

commissioner<A] may prepare and publish bulletins containing information concerning

the cost of production of farm products.

[D>He<D]

[A>The commissioner<A] is authorized to

hold an annual state exhibit at the Eastern States Exposition at West Springfield,

Massachusetts.

[D>He<D]

[A>The commissioner<A] is authorized to enter into an agreement

with the United States Department of Agriculture for cooperative work in the collection and publication of agricultural statistics. The commissioner shall have

the authority to charge such fees as

[D>he<D]

[A>the commissioner<A] may deem reasonable

for publications of information by any of the component agencies of the Department of Agriculture. The commissioner shall review any proposed capital project [D>which<D] [A>that<A] would convert twenty-five or more acres of prime farmland or one acre or more of shellfish grounds to a nonagricultural use and if such project promotes agriculture or the goal of agricultural land preservation or if there is no

reasonable alternative site for the project

[D>he<D]

[A>the commissioner<A] shall file a

statement with the Bond Commission so indicating. The commissioner shall file a

statement with the Bond Commission for any proposed capital project

[D>which<D]

[A>that<A]

would convert or impair any shellfish grounds and shall include in such statement

any comments

[D>he<D]

[A>the commissioner<A] deems appropriate for the protection of such

grounds. The commissioner shall administer those provisions of sections 12-107a,

12-107b, 12-107c and 12-107e

[D>which<D]

[A>that<A] address the assessment of farmland and

open space. The commissioner may request the Attorney General to bring an action in the Superior Court for injunctive relief requiring compliance with any statute, regulation, order or permit administered, adopted or issued by [D>him. The Commissioner of Agriculture may designate as his agent (1) any deputy commissioner to exercise all or part of the authority, powers and duties of the commissioner in his absence and (2) any deputy commissioner or any employee to exercise such authority of the commissioner as he delegates for the administration or enforcement of any applicable statute, regulation, permit or order, except the

authority to render a final decision after a hearing<D]

[A>the commissioner<A] .

Sec. 121. Subsection (c) of section 22-6c of the general statutes, as amended by section 1 of public act

15-22, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(c) For purposes of this section, [A>"farmer" includes, but is not limited to, any lessee or franchise holder of a state or town shellfish bed and<A] "farmland restoration plan" means a conservation plan of the United States Department of Agriculture's Natural Resources Conservation Service, a conservation plan of a soil and water conservation district established pursuant to section 22a-315 or a conservation plan approved by the Commissioner of Agriculture. "Farmland restoration plan" includes "agricultural restoration purposes", as defined in

section 22-6d, as amended by

[D>this act<D]

[A>public act 15-22 and conservation and

restoration plans for leased or franchised shellfish beds<A] .

Sec. 122. Subsection (b) of section 12-2 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(b) Notwithstanding any provision of the general statutes to the contrary, the commissioner may issue administrative pronouncements providing his interpretation of the tax laws. [D>Within one hundred eighty days from the issuance of any administrative pronouncement the commissioner shall publish notice of intent to adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of any administrative pronouncement issued on or after August 22, 1991, and such regulations shall be presented to the legislative regulation review committee within six months from the date of the issuance of any such pronouncement.<D] Such pronouncements shall not have the force and effect of regulations and shall carry a notice stating that the administrative pronouncements do not have the force and effect of law, provided taxpayers shall be entitled to rely on such pronouncements. For the purpose of this subsection "administrative pronouncement" means a statement by the Commissioner of Revenue Services which provides his interpretation of the tax laws and which is published and made available to the public. The commissioner shall, with respect to any provision of the general statutes which authorizes the issuance of rules, file with the legislative regulation review committee, within six months after the issuance of such rules, regulations which implement the provisions of such rules.

Sec. 123. Section 12-7c of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The Commissioner of Revenue Services shall, on or before [D>December 31, 2014<D] [A>February 15, 2017<A] , and biennially thereafter, submit to the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding, and post on said department's Internet web site a report on the overall incidence of the income tax, sales and excise taxes, the corporation business tax and property tax. The report shall present information on the distribution of the tax burden as follows:

(1) For individuals:

(A) Income classes, including income distribution expressed for every ten percentage points; and

(B) Other appropriate taxpayer characteristics, as determined by said commissioner.

(2) For businesses:

(A) Business size as established by gross receipts;

(B) Legal organization; and

(C) Industry by NAICS code.

(b) The Commissioner of Revenue Services may enter into a contract with any public or private entity for the purpose of preparing the report required pursuant to subsection (a) of this section.

Sec. 124. Subsection (a) of section 12-702a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) Any individual who has made a joint return under this chapter may elect to seek relief under the provisions of subsection (b) of this section and if such individual is eligible to elect the application of subsection (c) of this section, such individual may, in addition to any election under subsection (b) of this section, elect to limit such individual's liability for any deficiency with respect to such joint return in the manner prescribed under subsection (c) of this section. [A>Any individual who has made a joint return under this chapter may elect to seek relief under the provisions of subsection (f) of this section, even if such individual is not eligible to seek relief under subsection (b) or (c) of this section.<A]

Sec. 125. Subsections (f) to (h), inclusive, of section 12-702a of the general statutes are repealed and the following is substituted in lieu thereof (Effective from passage):

(f) Under procedures prescribed by the commissioner, if taking into account all the facts and circumstances, it is inequitable to hold such individual liable for

any unpaid tax or any deficiency, or any portion of

[D>either<D]

[A>such unpaid tax or

deficiency<A] , and relief is not otherwise available to such individual under this section, the commissioner may relieve such individual of such liability.

(g) The commissioner

[D>shall<D]

[A>may<A] adopt regulations, in accordance with chapter

54, as are necessary to carry out the provisions of this section, including regulations providing the opportunity for an individual to have notice of, and an opportunity to participate in, any administrative proceeding with respect to an election made under this section by the other individual filing the joint return.

(h) The provisions of this section shall be applicable with respect to any liability arising after May 27, 1999, and any liability arising on or before May 27, 1999, if such liability remains unpaid as of said date, provided the two-year period to make an election under [A>subsection (b) or (c) of<A] this section shall not expire before the date that is two years after the date of the first collection activity after May 27, 1999.

Sec. 126. Subsection (b) of section 12-706 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(b)

[D>Every<D]

[A>Each<A] employer required to deduct and withhold tax under this chapter

from the wages of an employee shall furnish to each such employee

[D>in<D]

[A>with<A]

respect to the wages paid by such employer to such employee during the calendar year, on or before January thirty-first of the next succeeding year, a written

statement as prescribed by the

[D>commissioner of revenue services<D]

[A>Commissioner of

Revenue Services<A] showing the amount of wages paid by the employer to the employee, the amount deducted and withheld as tax, and such other information as said commissioner shall prescribe.

[A>Each such employer shall file a copy of such written statement with the Commissioner of Revenue Services on or before said January thirty-first date.<A]

Sec. 127. Section 29-18b of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

The Commissioner of Emergency Services and Public Protection may appoint persons nominated by the Commissioner of Revenue Services to act as special policemen in [D>the special investigation section of<D] the Department of Revenue Services. Such appointees shall serve at the pleasure of the Commissioner of Emergency Services and Public Protection and, during such tenure, shall have all the powers conferred

on state policemen.

[D>They<D]

[A>Such special policemen<A] shall, in addition to their duties with said [D>special investigation section<D]

[A>department<A] , be subject to call

by the Commissioner of Emergency Services and Public Protection for such emergency

service as

[D>said commissioner<D]

[A>the Commissioner of Emergency Services and Public

Protection<A] may prescribe.

Sec. 128. Subsection (a) of section 53-394 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit, or to intentionally aid, solicit, coerce or intimidate another person to commit any crime which, at the time of its commission, was a felony chargeable by indictment or information under the following provisions of the general statutes then applicable: (1) Sections 53-278a to 53-278f, inclusive, relating to gambling activity; (2) chapter 949a, relating to extortionate credit transactions; (3) chapter 952, part IV, relating to homicide; (4) chapter 952, part V, relating to assault, except assault with a motor vehicle as defined in section 53a-60d; (5) sections 53a-85 to 53a-88, inclusive, relating to prostitution; (6) chapter 952, part VII, relating to kidnapping; (7) chapter 952, part VIII, relating to burglary, arson and related offenses; (8) chapter 952, part IX, relating to larceny, robbery and related offenses; (9) chapter 952, part X, relating to forgery and related offenses; (10) chapter 952, part XI, relating to bribery and related offenses; (11) chapter 952, part XX, relating to obscenity and related offenses; (12) chapter 952, part XIX, relating to coercion; (13) sections 53-202, 53-206, 53a-211 and 53a-212, relating to weapons and firearms; (14) section 53-80a, relating to the manufacture of bombs; (15) sections 36b-2 to 36b-34, to sections 36b-2 to 36b-34, inclusive, relating to securities fraud and related offenses; (16) sections 21a-277, 21a-278 and 21a-279, relating to drugs; (17) section 22a-131a, relating to hazardous waste; (18) chapter 952, part XXIII, relating to money laundering; [D>or<D] (19) section 53a-192a, relating to trafficking in persons [A>; or (20) subdivision (1) of subsection (b) of section 12-304 or section 12-308, relating to cigarettes<A] .

Sec. 129. (Effective from passage) Notwithstanding the provision of subsection (j) of section 45a-82 of the general statutes, any balance in the Probate Court Administration Fund on June 30, 2015, shall remain in said fund and shall not be transferred to the General Fund, regardless of whether such balance is in excess of an amount equal to fifteen per cent of the total expenditures authorized pursuant to subsection (a) of section 45a-84 of the general statutes for the immediately succeeding fiscal year.

Sec. 130. Subdivision (1) of subsection (b) of section 172 of public act 15-244 is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(b) (1) For each calendar quarter commencing on or after October 1, 2015, there is hereby imposed a tax on each ambulatory surgical center in this state to be paid each calendar quarter. The tax imposed by this section shall be at the rate of six per cent of the gross receipts of each ambulatory surgical center [A], except that such tax shall not be imposed on any amount of such gross receipts that constitutes either (A) the first million dollars of gross receipts of the ambulatory surgical center in the applicable fiscal year, or (B) net patient revenue of a hospital that is subject to the tax imposed under chapter 211a of the general statutes. Nothing in this section shall prohibit an ambulatory surgical center from seeking remuneration for the tax imposed by this section<A] .

Sec. 131. (Effective July 1, 2015) Notwithstanding the provisions of section 9-701 of the general statutes, on or after July 1, 2016, the sum of \$ 7,750,000 shall be transferred from the Citizens' Election Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2017.

Sec. 132. Subdivision (1) of section 12-408 of the general statutes, as amended by sections 72 and 74 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective from passage and applicable to sales occurring on or after October 1, 2015):

(1) (A) For the privilege of making any sales, as defined in subdivision (2) of subsection (a) of section 12-407, at retail, in this state for a consideration, a tax is hereby imposed on all retailers at the rate of six and thirty-five-hundredths per cent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail or from the rendering of any services constituting a sale in accordance with subdivision (2) of subsection (a) of section 12-407, except, in lieu of said rate of six and thirty-five-hundredths per cent, the rates provided in subparagraphs (B) to (H), inclusive, of this subdivision;

(B) At a rate of fifteen per cent with respect to each transfer of occupancy, from the total amount of rent received for such occupancy of any room or rooms in a hotel or lodging house for the first period not exceeding thirty consecutive calendar days;

(C) With respect to the sale of a motor vehicle to any individual who is a member of the armed forces of the United States and is on full-time active duty in Connecticut and who is considered, under 50 App USC 574, a resident of another state, or to any such individual and the spouse thereof, at a rate of four and one-half per cent of the gross receipts of any retailer from such sales, provided such retailer requires and maintains a declaration by such individual, prescribed as to form by the commissioner and bearing notice to the effect that false statements made in such declaration are punishable, or other evidence, satisfactory to the commissioner, concerning the purchaser's state of residence under 50 App USC 574;

(D) (i) With respect to the sales of computer and data processing services occurring on or after July 1, 1997, and prior to July 1, 1998, at the rate of five per cent, on or after July 1, 1998, and prior to July 1,

1999, at the rate of four per cent, on or after July 1, 1999, and prior to July 1, 2000, at the rate of three per cent, on or after July 1, 2000, and prior to July 1, 2001, at the rate of two per cent, on or after July 1, 2001, [D>and prior to October 1, 2015,<D] at the rate of one per cent, [D>on or after October 1, 2015, and prior to July 1, 2016, at the rate of two per cent, on or after July 1, 2016, at the rate of three per cent,<D] [A>and<A] (ii) with respect to sales of Internet access services, on and after July 1, 2001, such services shall be exempt from such tax [A>;<A] [D>, and (iii) with respect to the sales of computer and data processing services occurring on or after October 1, 2015, such services performed by an entity for an affiliate of such entity shall be exempt from such tax, where "affiliate" means a person who directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with, another person, and "owns", "is owned" and "ownership" mean ownership of an equity interest, or the equivalent thereof, of fifty per cent or more;<D]

(E) (i) With respect to the sales of labor that is otherwise taxable under subparagraph (C) or (G) of subdivision (2) of subsection (a) of section 12-407 on existing vessels and repair or maintenance services on vessels occurring on and after July 1, 1999, such services shall be exempt from such tax;

(ii) With respect to the sale of a vessel, such sale shall be exempt from such tax provided such vessel is docked in this state for sixty or fewer days in a calendar year;

(F) With respect to patient care services for which payment is received by the hospital on or after July 1, 1999, and prior to July 1, 2001, at the rate of five and three-fourths per cent and on and after July 1, 2001, such services shall be exempt from such tax;

(G) With respect to the rental or leasing of a passenger motor vehicle for a period of thirty consecutive calendar days or less, at a rate of nine and thirty-five-hundredths per cent;

(H) With respect to the sale of (i) a motor vehicle for a sales price exceeding fifty thousand dollars, at a rate of seven and three-fourths per cent on the entire sales price, (ii) jewelry, whether real or imitation, for a sales price exceeding five thousand dollars, at a rate of seven and three-fourths per cent on the entire sales price, and (iii) an article of clothing or footwear intended to be worn on or about the human body, a handbag, luggage, umbrella, wallet or watch for a sales price exceeding one thousand dollars, at a rate of seven and three-fourths per cent on the entire sales price. For purposes of this subparagraph, "motor vehicle" has the meaning provided in section 14-1, but does not include a motor vehicle subject to the provisions of subparagraph (C) of this subdivision, a motor vehicle having a gross vehicle weight rating over twelve thousand five hundred pounds, or a motor vehicle having a gross vehicle weight rating of twelve thousand five hundred pounds or less that is not used for private passenger purposes, but is designed or used to transport merchandise, freight or persons in connection with any business enterprise and issued a commercial registration or more specific type of registration by the Department of Motor Vehicles;

(I) The rate of tax imposed by this chapter shall be applicable to all retail sales upon the effective date of such rate, except that a new rate which represents an increase in the rate applicable to the sale shall not

apply to any sales transaction wherein a binding sales contract without an escalator clause has been entered into prior to the effective date of the new rate and delivery is made within ninety days after the effective date of the new rate. For the purposes of payment of the tax imposed under this section, any retailer of services taxable under subparagraph (I) of subdivision (2) of subsection (a) of section 12-407, who computes taxable income, for purposes of taxation under the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, on an accounting basis which recognizes only cash or other valuable consideration actually received as income and who is liable for such tax only due to the rendering of such services may make payments related to such tax for the period during which such income is received, without penalty or interest, without regard to when such service is rendered; [D>and<D]

(J) For calendar quarters ending on or after September 30, 2011, except for calendar quarters ending on or after July 1, 2016, but prior to July 1, 2017, the commissioner shall deposit into the regional planning incentive account, established pursuant to section 4-66k, six and seven-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (B) of this subdivision and ten and seven-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (G) of this subdivision;

(K) (i) Notwithstanding the provisions of this section, for calendar [D>quarters

ending on or after December 31, 2015, but prior to July 1, 2016<D]
[A>months

commencing on or after January 1, 2016, but prior to May 1, 2017<A] , the commissioner shall deposit into the municipal revenue sharing account established pursuant to section 4-66 I, as amended by [A>public act 15-244 and<A] this act, four and seven-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision;

(ii) For calendar
[D>quarters ending on or after July 1, 2016<D]
[A>months commencing on

or after May 1, 2017<A] , but prior to July 1, 2017, the commissioner shall deposit into the municipal revenue sharing account established pursuant to section 4-66 I, as amended by [A>public act 15-244 and<A] this act, six and three-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision;

(iii) For calendar
[D>quarters ending<D]
[A>months commencing<A] on or after July 1, 2017,

the commissioner shall deposit into the municipal revenue sharing account established pursuant to section 4-66 I, as amended by [A>public act 15-244 and<A] this act, seven and nine-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision; and

(L) (i) Notwithstanding the provisions of this section, for calendar [D>quarters

ending on or after December 31, 2015, but prior to July 1, 2016<D]

[A>months

commencing on or after October 1, 2015, but prior to October 1, 2016<A] , the commissioner shall deposit into the Special Transportation Fund established under section 13b-68 four and seven-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision;

(ii) For calendar

[D>quarters ending<D]

[A>months commencing<A] on or after

[D>July 1, 2016<D]

[A>October 1, 2016<A] , but prior to July 1, 2017, the commissioner shall deposit into the Special Transportation Fund established under section 13b-68 six and three-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision; and

(iii) For calendar

[D>quarters ending<D]

[A>months commencing<A] on or after July 1, 2017,

the commissioner shall deposit into the Special Transportation Fund established under section 13b-68 seven and nine-tenths per cent of the amounts received by the state from the tax imposed under subparagraph (A) of this subdivision.

Sec. 133. Subparagraph (A) of subdivision (37) of subsection (a) of section 12-407, as amended by section 75 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015, and applicable to sales occurring on or after said date):

(A) Computer and data processing services, including, but not limited to, time, programming, code writing, modification of existing programs, feasibility studies and installation and implementation of software programs and systems even where such services are rendered in connection with the development, creation or production of canned or custom software or the license of custom software [A>, and exclusive of services rendered in connection with the creation, development, hosting or

maintenance of all or part of a web site which is part of the graphical, hypertext portion of the Internet, commonly referred to as the World Wide Web<A] ;

Sec. 134. Subparagraph (A) of subdivision (37) of subsection (a) of section 12-407, as amended by section 75 of public act 15-244 and section 133 of this act, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015, and applicable to sales occurring on or after said date):

(A) Computer and data processing services, including, but not limited to, time, programming, code writing, modification of existing programs, feasibility studies and installation and implementation of software programs and systems even where such services are rendered in connection with the development, creation or production of canned or custom software or the license of custom software [A>;<A] [D>, and exclusive of services rendered in connection with the creation, development, hosting or maintenance of all or part of a web site which is part of the graphical, hypertext portion of the Internet, commonly referred to as the World Wide Web;<D]

Sec. 135. Subparagraph (N) of subdivision (37) of subsection (a) of section 12-407 of the general statutes, as amended by section 75 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015, and applicable to sales occurring on or after said date):

(N) Motor vehicle parking, including the provision of space, other than metered space, in a lot having thirty or more spaces, excluding [A>(i) space in a parking lot owned or leased under the terms of a lease of not less than ten years' duration and operated by an employer for the exclusive use of its employees, and (ii)<A] space in municipally-operated railroad parking facilities in municipalities located within an area of the state designated as a severe nonattainment area for ozone under the federal Clean Air Act or space in a railroad parking facility in a municipality located within an area of the state designated as a severe nonattainment area for ozone under the federal Clean Air Act owned or operated by the state on or after April 1, 2000;

Sec. 136. Subparagraph (OO) of subdivision (37) of subsection (a) of section 12-407 of the general statutes, as amended by section 75 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015, and applicable to sales occurring on or after said date):

(OO) Car wash services,
[D>excluding<D]
[A>including<A] coin-operated car washes.

Sec. 137. Subsections (a) and (b) of section 12-414 of the general statutes are repealed and the following is substituted in lieu thereof (Effective October 1, 2015, and applicable to periods ending on or after December 31, 2015):

(a) The taxes imposed by this chapter are due and payable to the commissioner

monthly on or before the

[D>twentieth<D]

[A>last<A] day of the month next succeeding each

monthly period except that (1) every person whose total tax liability for the twelve-month period ending on the preceding June thirtieth was less than four thousand dollars shall remit tax on a quarterly basis, and (2) every person described in subdivision (2) of subsection (e) of this section shall remit tax as prescribed by the commissioner under said subdivision (2). "Quarterly" means a period of three calendar months commencing on the first day of January, April, July or October of each year or, if any seller commences business on a date other than the first day of January, April, July or October, a period beginning on the date of commencement of business and ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first, respectively.

(b) On or before the

[D>twentieth<D]

[A>last<A] day of the month following each monthly or

quarterly period, as the case may be, or on the date or dates prescribed by the commissioner under subsection (e) of this section, a return for the preceding period shall be filed with the commissioner in such form as the commissioner may prescribe. For purposes of the sales tax a return shall be filed by every seller. For purposes of the use tax a return shall be filed by every retailer engaged in business in the state and by every person purchasing services or tangible personal property, the storage, acceptance, consumption or other use of which is subject to the use tax, who has not paid the use tax due a retailer required to collect the tax, except that every person making such purchases for personal use or consumption in this state, and not for use or consumption in carrying on a trade, occupation, business or profession, need file only one use tax return covering purchases during a calendar year. Such return shall be filed and the tax due thereon paid on or before the fifteenth day of the fourth month succeeding the end of the calendar year for which such return is filed. Returns shall be signed by the person required to file the return or by his or her authorized agent but need not be verified by oath, provided a return required to be filed by a corporation shall be signed by an officer of such corporation.

Sec. 138. Section 105 of public act 15-244 is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

Notwithstanding the provisions of section 3-6c of the general statutes, the Secretary of the Office of Policy and Management, on behalf of the state of Connecticut, may enter into separate agreements with the Mashantucket Pequot Tribe and the Mohegan Tribe of Indians of Connecticut concerning the operation of keno by the Connecticut Lottery Corporation in the state of Connecticut. [A>Any such agreement shall provide that the state of Connecticut shall distribute to each tribe a sum not to exceed a twelve and one-half per cent share of the gross operating revenue received by the state from the operation of keno.<A] The corporation may not operate keno until such separate agreements are effective.[A>For the purposes of this section, "gross operating revenues" means the total amounts wagered, less amounts paid out as prizes.<A]

Sec. 139. (Effective June 30, 2015) Sections 83, 84 and 138 to 163, inclusive, of public act 15-244 shall take effect January 1, 2016, and shall be applicable to income years commencing on or after said date.

Sec. 140. Subdivisions (7) and (8) of subsection (b) of section 12-214 of the general statutes, as amended by section 83 of public act 15-244, are repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(7) (A) With respect to income years commencing on or after January 1, 2012, and prior to January 1, 2018, any company subject to the tax imposed in accordance with subsection (a) of this section shall pay, for each such income year, except when the tax so calculated is equal to two hundred fifty dollars, an additional tax in an amount equal to twenty per cent of the tax calculated under said subsection (a) for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The additional amount of tax determined under this subsection for any income year shall constitute a part of the tax imposed by the provisions of said subsection (a) and shall become due and be paid, collected and enforced as provided in this chapter.

(B) Any company whose gross income for the income year was less than one hundred million dollars shall not be subject to the additional tax imposed under subparagraph (A) of this subdivision. With respect to income years commencing on

or after January 1, 2012, and prior to January 1,
[D>2015<D]
[A>2016<A] , this exception

shall not apply to companies filing a combined return for the income year under section 12-223a, as amended by [A>public act 15-244 and<A] this act, or a unitary return under subsection (d) of section 12-218d, as amended by [A>public act 15-244 and<A] this act. With respect to income years commencing on or after January 1, [D>2015<D] [A>2016<A] , and prior to January 1, 2018, this exception shall not apply to taxable members of a combined group that files a combined unitary tax return.

(8) (A) With respect to
[D>the income year<D]
[A>income years<A] commencing on or after

January 1, 2018, [A>and prior to January 1, 2019,<A] any company subject to the tax imposed in accordance with subsection (a) of this section shall pay, for such income year, except when the tax so calculated is equal to two hundred fifty dollars, an additional tax in an amount equal to ten per cent of the tax calculated under said subsection (a) for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The additional amount of tax determined under this subsection for any income year shall constitute a part of the tax imposed by the provisions of said subsection (a) and shall become due and be paid, collected and enforced as provided in this chapter.

(B) Any company whose gross income for the income year was less than one hundred million dollars shall not be subject to the additional tax imposed under subparagraph (A) of this subdivision. This exception shall not apply to taxable members of a combined group that files a combined unitary tax return.

Sec. 141. Subdivisions (7) and (8) of subsection (b) of section 12-219 of the general statutes, as amended by section 84 of public act 15-244, are repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(7) (A) With respect to income years commencing on or after January 1, 2012, and prior to January 1, 2018, the additional tax imposed on any company and calculated in accordance with subsection (a) of this section shall, for each such income year, except when the tax so calculated is equal to two hundred fifty dollars, be increased by adding thereto an amount equal to twenty per cent of the additional tax so calculated for such income year, without reduction of the tax so calculated by the amount of any credit against such tax. The increased amount of tax payable by any company under this section, as determined in accordance with this subsection, shall become due and be paid, collected and enforced as provided in this chapter.

(B) Any company whose gross income for the income year was less than one hundred million dollars shall not be subject to the additional tax imposed under subparagraph (A) of this subdivision. With respect to income years commencing on

or after January 1, 2012, and prior to January 1,

[D>2015<D]

[A>2016<A] , this exception

shall not apply to companies filing a combined return for the income year under section 12-223a, as amended by [A>public act 15-244 and<A] this act, or a unitary return under subsection (d) of section 12-218d, as amended by [A>public act 15-244 and<A] this act. With respect to income years commencing on or after January 1, [D>2015<D] [A>2016<A] , and prior to January 1, 2018, this exception shall not apply to taxable members of a combined group that files a combined unitary tax return.

(8) (A) With respect to

[D>the income year<D]

[A>income years<A] commencing

[A>on or after<A]

January 1, 2018, [A>and prior to January 1, 2019,<A] the additional tax imposed on any company and calculated in accordance with subsection (a) of this section shall, for such income year, except when the tax so calculated is equal to two hundred fifty dollars, be increased by adding thereto an amount equal to ten per cent of the additional tax so calculated for such income year, without reduction of the tax so

calculated by the amount of any credit against such tax. The increased amount of tax payable by any company under this section, as determined in accordance with this subsection, shall become due and be paid, collected and enforced as provided in this chapter.

(B) Any company whose gross income for the income year was less than one hundred million dollars shall not be subject to the additional tax imposed under subparagraph (A) of this subdivision. This exception shall not apply to taxable members of a combined group that files a combined unitary tax return.

Sec. 142. Subsection (d) of section 139 of public act 15-244 is repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(d) After calculating its net income or loss apportioned to this state, pursuant to subsection (c) of this section, each taxable member of a combined group required to file a combined unitary tax return pursuant to section 12-222 of the general statutes, as amended by [A>public act 15-244 and<A] this act, may deduct a net operating loss from its net income apportioned to this state as follows:

(1) For income years beginning on or after January 1,
[D>2015<D]
[A>2016<A] , if the

computation of a combined group's net income results in a net operating loss, a taxable member of such group may carry over its net loss apportioned to this state, as calculated under subsection (c) of this section, derived from the unitary business in a future income year to the extent that the carryover and deduction is otherwise consistent with subparagraph (A) of subdivision (4) of subsection (a) of section 12-217 of the general statutes, as amended by [D>this act<D] [A>public act 15-244<A] . Any taxable member that has more than one operating loss carryover shall apply the carryovers in the order that the operating loss was incurred, with the oldest carryover to be deducted first.

(2) Where a taxable member of a combined group has an operating loss carryover derived from a loss incurred by a combined group in an income year beginning on or

after January 1,
[D>2015<D]

[A>2016<A] , then the taxable member may share the operating

loss carryover with other taxable members of the combined group if such other taxable members were members of the combined group in the income year that the loss was incurred. Any amount of operating loss carryover that is deducted by another taxable member of the combined group shall reduce the amount of operating loss carryover that may be carried over by the taxable member that originally incurred the loss.

(3) Where a taxable member of a combined group has an operating loss carryover derived from a loss incurred in an income year beginning prior to January 1, [D>2015<D] [A>2016<A] , or derived from an income year during which the taxable member was not a member of such combined group, the carryover shall remain available to be deducted by that taxable member or other group members that, in the year the loss was incurred, were part of the same combined group as such taxable member under section 12-223a of the general statutes, as amended by [A>public act 15-244 and<A] this act, or same unitary group as such taxable member under subsection (d) of section 12-218d of the general statutes, revision of 1958, revised to January 1, 2015. Such carryover shall not be deductible by any other members of the combined group.

Sec. 143. Subsection (j) of section 139 of public act 15-244 is repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(j) (1) Each taxable member of a combined group required to file a combined unitary tax return pursuant to section 12-222 of the general statutes, as amended by [A>public act 15-244 and<A] this act, shall separately apply the provisions of sections 12-217ee and 12-217zz of the general statutes, as amended by [D>this act<D] [A>public act 15-244<A] , in determining the amount of tax credit available to such member.

(2) If a taxable member of a combined group earns a tax credit in an income year

beginning on or after January 1,

[D>2015<D]

[A>2016<A] , then the taxable member may share

the credit with other taxable members of the combined group. Any amount of credit that is utilized by another taxable member of the combined group shall reduce the amount of credit carryover that may be carried over by the taxable member that originally earned the credit. If a taxable member of a combined group has a tax credit carryover derived from an income year beginning on or after January 1, [D>2015<D] [A>2016<A] , then the taxable member may share the carryover credit with other taxable members of the combined group, if such other taxable members were members of the combined group in the income year in which the credit was earned.

(3) If a taxable member of a combined group has a tax credit carryover derived

from an income year beginning prior to January 1,

[D>2015<D]

[A>2016<A] , or derived from an

income year during which the taxable member was not a member of such combined group, the credit carryover shall remain available to be utilized by such taxable member or other group members which, in

the year the credit was earned, were part of the same combined group as such taxable member under section 12-223a of the general statutes, as amended by [A>public act 15-244 and<A] this act, or the same unitary group as such taxable member under [A>subsection (d) of<A] section 12-218d of the general statutes, revision of 1958, revised to January 1, 2015.

(4) To the extent a taxable member has more than one corporation business tax credit that it may utilize in an income year, whether such credits were earned by said member or are available to said member in accordance with subdivisions (2) and (3) of this subsection, the credits shall be claimed in the same order as provided in section 12-217aa of the general statutes.

Sec. 144. Section 140 of public act 15-244 is repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(a) For purposes of this section, "affiliated group" means an affiliated group as defined in Section 1504 of the Internal Revenue Code, except such affiliated group shall include all domestic corporations that are commonly owned, directly or indirectly, by any member of such affiliated group, without regard to whether the affiliated group includes (1) corporations included in more than one federal consolidated return, (2) corporations engaged in one or more unitary businesses, or (3) corporations that are not engaged in a unitary business with any other member of the affiliated group. Such affiliated group shall also include any member of the combined group, determined on a world-wide basis, incorporated in a tax haven as determined by the commissioner in accordance with subdivision [D>(4)<D] [A>(5)<A] of subsection (b) of this section [A>, unless it is proven to the satisfaction of the commissioner that such member is incorporated in a tax haven for a legitimate business purpose<A] .

(b) The designated taxable member of a combined group may elect to have the combined group determined on a world-wide basis or an affiliated group basis. If no such election is made, the combined group shall be determined on a water's-edge basis and will include only taxable members and those nontaxable members described

in any one or more of the categories set forth in subdivisions (1) to [D>(3)<D] [A>(4)<A] ,

inclusive, of this subsection:

(1) Any member incorporated in the United States, or formed under the laws of the United States, any state, the District of Columbia, or any territory or possession of the United States, excluding such a member if eighty per cent or more of both its property and payroll during the income year are located outside the United States, the District of Columbia, and any territory or possession of the United States;

(2) Any member, wherever incorporated or formed, if twenty per cent or more of both its property and payroll during the income year are located in the United States, the District of Columbia, or any territory or possession of the United States; [D>or<D]

[A>(3) Any member that earns more than twenty per cent of its gross income, directly or indirectly, from intangible property or service-related activities, the costs of which generally are deductible for federal income tax purposes, whether currently or over a period of time, against the income of other members of the group, but only to the extent of that income and the apportionment factors related thereto; or<A]

[D>(3)<D]

[A>(4)<A] Any member that is incorporated in a jurisdiction that is determined by

the commissioner to be a tax haven as that term is defined in subdivision [D>(4)<D] [A>(5)<A] of this subsection, unless it is proven to the satisfaction of the commissioner that such member is incorporated in a tax haven for a legitimate business purpose.

[D>(4)<D]

[A>(5)<A] For purposes of [A>subsection (a) of this section and<A] subdivision

[D>(3)<D]

[A>(4)<A] of this subsection, "tax haven" means a jurisdiction that (A) has laws or practices that prevent effective exchange of information for tax purposes with other governments on taxpayers benefiting from the tax regime; (B) has a tax regime which lacks transparency; (C) facilitates the establishment of foreign-owned entities without the need for a local substantive presence or prohibits these entities from having any commercial impact on the local economy; (D) explicitly or implicitly excludes the jurisdiction's resident taxpayers from taking advantage of the tax regime benefits or prohibits enterprises that benefit from the regime from operating in the jurisdiction's domestic market; or (E) has created a tax regime which is favorable for tax avoidance, based upon an overall assessment of relevant factors, including whether the jurisdiction has a significant untaxed offshore financial or services sector relative to its overall

economy. Not later than September 30,

[D>2015<D]

[A>2016<A] , the commissioner shall publish

a list of jurisdictions that the commissioner determines to be tax havens. The list shall be applicable to income years commencing on or after January 1, [D>2015<D] [A>2016<A] , and shall remain in effect until superseded by the publication of a revised list by the commissioner.

(c) A world-wide election or an affiliated group election is effective only if made on a timely-filed, original

return for an income year by the designated taxable member of the combined group. Such election is binding for, and applicable to, the income year for which it is made and for the ten immediately succeeding income years.

(d) If the designated taxable member elects to determine the members of a combined group on an affiliated group basis, the taxable members shall take into account the net income or loss and apportionment factors of all of the members of its affiliated group, regardless of whether such members are engaged in a unitary business, that are subject to tax or would be subject to tax under chapter 208 of the general statutes, if doing business in this state.

Sec. 145. Section 141 of public act 15-244 is repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(a) For purposes of this section, "net deferred tax liability" means deferred tax liabilities that exceed the deferred tax assets of the combined group, as computed in accordance with generally accepted accounting principles, and "net deferred tax asset" means that deferred tax assets exceed the deferred tax liabilities of the

[D>unitary<D]

[A>combined<A] group, as computed in accordance with generally accepted accounting principles.

(b) Only publicly traded companies, including affiliated corporations participating in the filing of a publicly traded company's financial statements prepared in accordance with generally accepted accounting principles, as of the effective date of this section, shall be eligible for this deduction.

(c) If the provisions of sections 139 and 140 of [A>public act 15-244, as amended by<A] this act result in an aggregate increase to the members' net deferred tax liability or an aggregate decrease to the members' net deferred tax asset, [A>or an aggregate change from a net deferred tax asset to a net deferred tax liability,<A]

the

[D>unitary<D]

[A>combined<A] group shall be entitled to a deduction, as determined in this section.

(d) For the seven-year period beginning with the

[D>unitary<D]

[A>combined<A] group's first

income year that begins in 2018, a

[D>unitary<D]

[A>combined<A] group shall be entitled to a deduction from

[D>unitary<D]

[A>combined<A] group net income equal to one-seventh of the

amount necessary to offset the increase in the net deferred tax liability or decrease in the net deferred tax asset, or the aggregate change thereof [A>, <A] [D>if the net income of the unitary group changes<D] from a net deferred tax asset to a net deferred tax liability, as computed in accordance with generally accepted accounting principles, that would result from the imposition of the unitary reporting requirements under sections 139 and 140 of [A>public act 15-244, as amended by<A] this act, but for the deduction provided under this section. Such increase in the net deferred tax liability or decrease in the net deferred tax asset or the aggregate change thereof shall be computed based on the change that would result from the imposition of the unitary reporting requirements under sections 139 and 140 of [A>public act 15-244, as amended by<A] this act, but for the deduction provided under this section as of the effective date of this section.

(e) The deduction calculated under this section shall not be reduced as a result of any events happening subsequent to such calculation, including, but not limited to, any disposition or abandonment of assets. Such deduction shall be calculated without regard to the federal tax effect and shall not alter the tax basis of any

asset. If the deduction under this section is greater than

[D>unitary<D]

[A>combined<A]

group net income, any excess deduction shall be carried forward and applied as a

deduction to

[D>unitary<D]

[A>combined<A] group net income in future income years until

fully utilized.

(f) Any combined group intending to claim a deduction under this section shall

file a statement with the commissioner on or before July 1,

[D>2016<D]

[A>2017<A] ,

specifying the total amount of the deduction which the combined group claims. The statement shall be made on such form and in such manner as prescribed by the commissioner and shall contain such

information or calculations as the commissioner may specify. No deduction shall be allowed under this section for any

income year except to the extent claimed on or before July 1,

[D>2016<D]

[A>2017<A] , in the

manner prescribed. Nothing in this subsection shall limit the authority of the commissioner to review or redetermine the proper amount of any deduction claimed, whether on the statement required under this subsection or on a tax return for any income year.

Sec. 146. Subsection (e) of section 12-217t of the general statutes, as amended by section 145 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(e) In the case of taxpayers filing a combined [A>unitary tax<A] return pursuant to section 12-222, as amended by [A>public act 15-244 and<A] this act, the credit provided by this section shall be allowed on a combined basis, such that the amount of personal property taxes paid by such taxpayers with respect to such equipment may be claimed as a tax credit against the combined unitary tax liability of such taxpayers as determined under this chapter. Credits available to taxpayers which are subject to tax under this chapter but not subject to tax under chapter 207, 208a, 209, 210, 211 or 212 or the tax imposed on health care centers under the provisions of section 12-202a shall be used prior to credits of companies included in such combined [A>unitary tax<A] return which are also subject to tax under said chapter 207, 208a, 209, 210, 211 or 212 or the tax imposed upon health centers pursuant to the provisions of section 12-202a.

Sec. 147. Subdivision (3) of subsection (d) of section 12-218d of the general statutes, as amended by section 152 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(3) The corporation elects, on forms authorized for such purpose by the commissioner, to calculate its tax on a unitary basis including all members of the unitary group provided there are substantial intercorporate business transactions among such included corporations. Such election to file on a unitary basis shall be irrevocable for and applicable for five successive income years, but shall not

be applicable to income years commencing on or after January 1,

[D>2015<D]

[A>2016<A] .

Nothing in this subdivision shall be construed to limit or negate the commissioner's authority to otherwise enter into agreements and compromises otherwise allowed by law.

Sec. 148. Subdivision (1) of subsection (b) of section 12-219a of the general statutes is repealed and the

following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(b) (1) Any company that is (A) a limited partner in a partnership, other than an investment partnership, that does business, owns or leases property or maintains an office within this state and (B) not otherwise carrying on or doing business in this state shall apportion the average value of its partnership interest within and without this state under the provisions of subsection (a) of this section, except that the numerator and the denominator of its apportionment fraction shall be its proportionate part of the partnership's apportionment factors. For purposes of this section, the partnership shall compute its apportionment fraction and the numerator and the denominator of its apportionment factors as if it were a company taxable both within and without this state. However, if the commissioner determines that the company and the partnership are, in substance, parts of a unitary business engaged in a single business enterprise, [A>or, if the company is a member of a combined group that files a combined unitary tax return,<A] the company shall be taxed in accordance with the provisions of subdivision (3) of this subsection and not in accordance with the provisions of this subdivision.

Sec. 149. Subdivision (2) of subsection (g) of section 12-222 of the general statutes, as amended by section 156 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(2) If a member of a combined group has a different income year than the group income year, such member with a different income year shall report amounts from its return for its income year that ends during the group income year, provided no such reporting of amounts shall be required of such member until its first income

year beginning on or after January 1,

[D>2015<D]

[A>2016<A] .

Sec. 150. Subsection (e) of section 12-223a of the general statutes, as amended by section 157 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(e) The provisions of this section shall not apply to income years commencing on

or after January 1,

[D>2015<D]

[A>2016<A] .

Sec. 151. Subsection (b) of section 12-223f of the general statutes, as amended by section 161 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(b) The provisions of this section shall not apply to income years commencing on

or after January 1,

[D>2015<D]

[A>2016<A] .

Sec. 152. Subsection (j) of section 12-242d of the general statutes, as amended by section 162 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(j) (1) The provisions of this section shall apply to taxable members of a combined group required to file a combined unitary tax return pursuant to section 12-222, as amended by [A>public act 15-244 and<A] this act [A>.<A] [D>, except as otherwise provided in subdivisions (3) and (4) of this subsection.<D]

(2) The designated taxable member of a combined group shall be responsible for paying estimated tax installments, at the times and in the amounts specified in this section, on behalf of the taxable members of the combined group and in the form and manner prescribed by the Commissioner of Revenue Services.

[D>(3) For combined groups whose 2015 group income year commences in January, February or March, the due date of the first required installment is extended to the due date of the second required installment. The due date for the first and second required installments of estimated tax for a combined group whose 2015 group income year commences in January or February shall be July 15, 2015, and the amount of the first and second required installments shall be seventy per cent of the required annual payment. The due date for the first and second required installments of estimated tax for a combined group whose 2015 group income year commences in March shall be August 15, 2015, and the amount of the first and second required installments shall be seventy per cent of the required annual payment.<D]

[D>(4) Notwithstanding the provisions of subsection (e) of this section, where the preceding income year, as the term is used in said subsection, is an income year commencing on or after January 1, 2014, but prior to January 1, 2015, the required annual payment of a combined group is the lesser of (A) ninety per cent of the tax shown on the combined unitary tax return for the group income year commencing on or after January 1, 2015, but prior to January 1, 2016, or, if no return is filed, ninety per cent of the tax for such year computed in accordance with section 138 of this act, or (B) (i) if such preceding income year was an income year of twelve months and if the taxable members filed separate returns for such preceding income year showing a liability for tax, the sum of one hundred per cent of the tax shown on each such return for such preceding income year of each such taxable member, without regard to any credit under chapter 208, or (ii) if the preceding income year was an income year of twelve months and if the taxable members filed a return pursuant to section 12-223a, as amended by this act, for such preceding income year showing a liability for tax, one hundred per cent of the tax shown on such return for such preceding income year, without regard to any credit under chapter 208.<D]

Sec. 153. Subdivision (1) of subsection (f) of section 38a-88a of the general statutes, as amended by sections 163 and 171 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016, and applicable to income years commencing on or after said date):

(f) (1) The Commissioner of Revenue Services may treat one or more corporations that are properly included in a combined unitary tax return under section [D>12-223<D] [A>12-222, as amended by this act,<A] as one taxpayer in determining whether the appropriate requirements under this section are met. Where corporations are treated as one taxpayer for purposes of this subsection, then the credit shall be allowed only against the amount of the combined unitary tax for all corporations properly included in a combined unitary [A>tax<A] return that, under the provisions of subdivision (2) of this subsection, is attributable to the corporations treated as one taxpayer.

Sec. 154. Subsection (b) of section 12-263m of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(b) [A>(1)<A] There shall be paid to the Commissioner of Revenue Services by each dry cleaning establishment a surcharge of one per cent of its gross receipts at retail for any dry cleaning service performed on or after January 1, 1995. Each [D>such<D] [A>dry cleaning<A] establishment shall register with the Commissioner of Revenue

Services on forms prescribed by

[D>him.<D]

[A>the commissioner. Each dry cleaning

establishment that is registered with the commissioner shall renew its registration with the commissioner on October 1, 2015, and annually thereafter, in such manner as the commissioner may prescribe. The commissioner shall send a nonrenewal notice by first class mail to each dry cleaning establishment that fails to renew its registration in accordance with the provisions of this subsection. No dry cleaning establishment may engage in or transact business as a dry cleaning establishment unless it is registered with the commissioner in accordance with the provisions of this subsection.<A]

[A>(2) (A) Any dry cleaning establishment that fails to register with the commissioner in accordance with the provisions of this subsection shall pay a penalty of one thousand dollars, which penalty shall not be subject to waiver.<A]

[A>(B) Any dry cleaning establishment that fails to renew its registration within forty-five days after a nonrenewal notice was sent pursuant to subdivision (1) of this subsection shall pay a penalty of two hundred dollars, which the commissioner may waive in the manner set forth in section 12-3a, when it is proven to the commissioner's satisfaction that the failure to register was due to reasonable cause and was not intentional or due to neglect. No penalty may be assessed under this subparagraph more than once during any registration period.<A]

[A>(3)<A] Each

[D>such<D]

[A>dry cleaning<A] establishment shall submit a return quarterly to

the Commissioner of Revenue Services, applicable with respect to the calendar quarter beginning January 1, 1995, and each calendar quarter thereafter, on or before the last day of the month immediately following the end of each such calendar quarter, on a form prescribed by the commissioner, together with payment of the quarterly surcharge determined and payable in accordance with the provisions of this section. Whenever such surcharge is not paid when due, a penalty of ten per cent of the amount due or fifty dollars, whichever is greater, shall be imposed, and such surcharge shall bear interest at the rate of one per cent per month or fraction thereof until the same is paid. The Commissioner of Revenue Services shall cause copies of a form prescribed for submitting returns as required under this section to be distributed to persons subject to the surcharge. Failure to receive such form shall not be construed to relieve anyone subject to the surcharge under this section from the obligations of submitting a return, together with payment of such surcharge within the time required. The provisions of sections 12-548 to 12-554, to sections 12-548 to 12-554, inclusive, and sections 12-555a and 12-555b shall apply to the provisions of this section in the same manner and with the same force and effect as if the language of said sections 12-548 to 12-554, to sections 12-548 to 12-554, inclusive, and sections 12-555a and 12-555b had been incorporated in full into this section and had expressly referred to the surcharge imposed under this section, except to the extent that any such provision is inconsistent with a provision of this section and except that the term "tax" shall be read as "dry cleaning establishment surcharge".

[A>(4)<A] Any moneys received by the state pursuant to this section shall be deposited into the account established pursuant to subsection (c) of this section.

Sec. 155. (Effective July 1, 2015) (a) The amounts appropriated from the GENERAL FUND to the following accounts in section 1 of public act 15-244 are reduced by the following amounts for the fiscal years indicated:

2015-2016 2016-2017

DEPARTMENT OF SOCIAL SERVICES

Medicaid 1,500,000 1,500,000

RESERVE FOR SALARY ADJUSTMENTS

Reserve for Salary Adjustments 13,000,000

(b) The following reductions from TOTAL - GENERAL FUND appropriations in section 1 of public act 15-244 are included for the fiscal years indicated:

2015-2016 2016-2017

Targeted Savings -12,500,000 -12,500,000

(c) The NET - GENERAL FUND appropriations in section 1 of public act 15-244 are reduced by the following amounts for the fiscal years indicated:

2015-2016 2016-2017

NET - GENERAL FUND -14,000,000 -27,000,000

Sec. 156. (Effective July 1, 2015) The Secretary of the Office of Policy and Management may make reductions in allotments in the following accounts of the GENERAL FUND in the following amounts for the fiscal years indicated in order to achieve targeted savings in each said fiscal year:

2015-2016 2016-2017

LEGISLATIVE MANAGEMENT

Other Expenses 255,127 276,683

Equipment 5,626 7,126

Flag Restoration 1,054 1,068

Minor Capital Improvements 5,700 3,375

Interim Salary/Caucus Offices 9,629 7,408

Old State House 8,545 8,843

Interstate Conference Fund 5,914 6,150

New England Board of Higher Education 2,696 2,777

AUDITORS OF PUBLIC ACCOUNTS

Other Expenses 6,001 6,074

Equipment 150 150

COMMISSION ON AGING

Other Expenses 573 573

PERMANENT COMMISSION ON THE STATUS OF WOMEN

Other Expenses 1,257 1,137

Equipment 15 15

COMMISSION ON CHILDREN

Other Expenses 1,513 1,513

LATINO AND PUERTO RICAN AFFAIRS COMMISSION

Other Expenses 409 409

AFRICAN AMERICAN AFFAIRS COMMISSION

Other Expenses 421 421

ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION

Other Expenses 214 214

GOVERNOR'S OFFICE

Other Expenses 3,008 3,048

New England Governors' Conference 1,593 1,614

National Governors' Association 1,897 1,922

SECRETARY OF THE STATE

Other Expenses 27,307 27,641

Commercial Recording Division 84,880 85,302

Board of Accountancy 4,456 4,529

LIEUTENANT GOVERNOR'S OFFICE

Other Expenses 1,029 1,043

STATE TREASURER

Other Expenses 2,309 2,339

STATE COMPTROLLER

Other Expenses 87,020 77,694

STATE COMPTROLLER - MISCELLANEOUS

Adjudicated Claims 366,552 132,330

DEPARTMENT OF REVENUE SERVICES

Other Expenses 125,928 115,832

OFFICE OF GOVERNMENTAL ACCOUNTABILITY

Other Expenses 858 895

Child Fatality Review Panel 1,615 1,618

Information Technology Initiatives 473 473

Elections Enforcement Commission 54,363 55,131

Office of State Ethics 23,709 24,006

Freedom of Information Commission 25,894 26,031

Contracting Standards Board 4,715 4,543

Judicial Review Council 2,193 2,224

Judicial Selection Commission 1,396 1,399

Office of the Child Advocate 10,719 10,688

Office of the Victim Advocate 6,938 6,914

Board of Firearms Permit Examiners 1,919 1,926

OFFICE OF POLICY AND MANAGEMENT

Other Expenses 17,853 18,246

Automated Budget System and Data Base Link 699 708

Justice Assistance Grants 15,131 15,333

Criminal Justice Information System 14,760

DEPARTMENT OF VETERANS' AFFAIRS

Other Expenses 75,890 75,890

DEPARTMENT OF ADMINISTRATIVE SERVICES

Other Expenses 490,769 492,115

Management Services 69,348 66,431

Loss Control Risk Management 1,722 1,722

Employees' Review Board 312 316

Surety Bonds for State Officials and Employees 2,127 1,104

Refunds Of Collections 385 385

Rents and Moving 77,274

W. C. Administrator 75,000 75,000

State Insurance and Risk Mgmt Operations 205,245 209,935

IT Services 214,726 216,814

WORKERS' COMPENSATION CLAIMS - ADMINISTRATIVE SERVICES

Workers' Compensation Claims 129,931 129,931

ATTORNEY GENERAL

Other Expenses 15,935 16,183

DIVISION OF CRIMINAL JUSTICE

Other Expenses 38,420 38,420

Witness Protection 2,700 2,700

Training And Education 847 847

Expert Witnesses 4,950 4,950

Medicaid Fraud Control 19,851 19,876

Criminal Justice Commission 7 7

DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION

Other Expenses 436,495 435,503

Equipment 1,409 1,409

Fleet Purchase 92,750 103,165

Workers' Compensation Claims 68,433 68,433

MILITARY DEPARTMENT

Other Expenses 38,927 39,050

DEPARTMENT OF CONSUMER PROTECTION

Other Expenses 20,193 21,960

LABOR DEPARTMENT

Other Expenses 19,028 16,928

CETC Workforce 10,304 10,608

COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

Other Expenses 5,538 5,538

Martin Luther King, Jr. Commission 94 94

PROTECTION AND ADVOCACY FOR PERSONS WITH DISABILITIES

Other Expenses 2,919 2,919

DEPARTMENT OF AGRICULTURE

Other Expenses 11,746 11,746

DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

Other Expenses 44,999 44,999

State Superfund Site Maintenance 7,228 7,325

Laboratory Fees 2,275 2,305

Dam Maintenance 2,144 2,147

Emergency Spill Response 109,174 109,903

Solid Waste Management 50,770 51,721

Underground Storage Tank 15,604 15,718

Clean Air 66,826 68,156

Interstate Environmental Commission 731 731

New England Interstate Water Pollution Commission 432 432

COUNCIL ON ENVIRONMENTAL QUALITY

Other Expenses 26 26

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

Other Expenses 16,080 15,780

DEPARTMENT OF HOUSING

Elderly Rental Registry and Counselors 17,942 17,942

AGRICULTURAL EXPERIMENT STATION

Other Expenses 17,010 17,010

Equipment 150 150

DEPARTMENT OF PUBLIC HEALTH

Other Expenses 107,442 112,176

OFFICE OF THE CHIEF MEDICAL EXAMINER

Other Expenses 20,102 20,102

Equipment 288 288

Medicolegal Investigations 385 390

DEPARTMENT OF DEVELOPMENTAL SERVICES

Other Expenses 309,291 313,415

DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES

Other Expenses 430,748 431,292

Workers' Compensation Claims 176,884 176,884

PSYCHIATRIC SECURITY REVIEW BOARD

Other Expenses 437 442

DEPARTMENT OF SOCIAL SERVICES

Other Expenses 2,226,527 2,334,290

Refunds Of Collections 1,659 1,687

STATE DEPARTMENT ON AGING

Other Expenses 3,289 3,333

DEPARTMENT OF REHABILITATION SERVICES

Other Expenses 23,643 23,643

DEPARTMENT OF EDUCATION

Other Expenses 58,892 58,742

Development of Mastery Exams Grades 4, 6, and 8 227,236 234,153

New or Replicated Schools 5,085 6,300

Talent Development 139,532 139,645

Common Core 88,593 89,775

Special Master 22,258 15,155

Health and Welfare Services Pupils Private Schools 58,016 58,016

OFFICE OF EARLY CHILDHOOD

Other Expenses 5,249 5,249

CONNECTICUT STATE LIBRARY

Other Expenses 9,661 9,790

OFFICE OF HIGHER EDUCATION

Other Expenses 2,609 1,504

UNIVERSITY OF CONNECTICUT

Workers' Compensation Claims 46,380 46,380

UNIVERSITY OF CONNECTICUT HEALTH CENTER

Workers' Compensation Claims 105,240 105,240

TEACHERS' RETIREMENT BOARD

Other Expenses 7,990 8,097

BOARD OF REGENTS FOR HIGHER EDUCATION

Workers' Compensation Claims 58,161 58,161

DEPARTMENT OF CORRECTION

Other Expenses 1,166,052 1,146,498

Workers' Compensation Claims 385,574 385,574

Inmate Medical Services 1,376,135 1,393,161

DEPARTMENT OF CHILDREN AND FAMILIES

Other Expenses 530,757 513,624

Workers' Compensation Claims 158,100 158,100

No Nexus Special Education 29,000 30,249

JUDICIAL DEPARTMENT

Other Expenses 1,009,378 1,032,205

Workers' Compensation Claims 98,390 98,390

PUBLIC DEFENDER SERVICES COMMISSION

Other Expenses 22,377 22,377

Training And Education 1,950 1,950

TOTAL - GENERAL FUND 12,500,000 12,500,000

Sec. 157. Subsection (c) of section 4a-59 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(c) All open market orders or contracts shall be awarded to (1) the lowest responsible qualified bidder, the qualities of the articles to be supplied, their conformity with the specifications, their suitability to the requirements of the state government and the delivery terms being taken into consideration and, at the discretion of the Commissioner of Administrative Services, life-cycle costs and trade-in or resale value of the articles may be considered where it appears to be in the best interest of the state, (2) the highest scoring bidder in a multiple criteria bid, in accordance with the criteria set forth in the bid solicitation for the contract, or (3) the proposer whose proposal is deemed by the awarding authority to be the most advantageous to the state, in accordance with the criteria set forth in the request for proposals, including price and evaluation factors. Notwithstanding any provision of the general statutes to the contrary, each state agency awarding a contract through competitive negotiation shall include price as an explicit factor in the criteria in the request for proposals and for the contract award. In considering past performance of a bidder for the purpose of determining the "lowest responsible qualified bidder" or the "highest scoring bidder in a multiple criteria bid", the commissioner shall evaluate the skill, ability and integrity of the bidder in terms of the bidder's fulfillment of past contract obligations and the bidder's experience or lack of experience in delivering supplies, materials, equipment or contractual services of the size or amount

for which bids have been solicited. In determining the lowest responsible qualified bidder for the purposes of this section, the commissioner may give a price preference of up to ten per cent for (A) the purchase of goods made with recycled materials or the purchase of recyclable or remanufactured products if the commissioner determines that such preference would promote recycling or remanufacturing. As used in this subsection, "recyclable" means able to be collected, separated or otherwise recovered from the solid waste stream for reuse, or for use in the manufacture or assembly of another package or product, by means of a recycling program which is reasonably available to at least seventy-five per cent of the state's population, "remanufactured" means restored to its original function and thereby diverted from the solid waste stream by retaining the bulk of components that have been used at least once and by replacing consumable components and "remanufacturing" means any process by which a product is remanufactured; (B) the purchase of motor vehicles powered by a clean alternative fuel; (C) the purchase of motor vehicles powered by fuel other than a clean alternative fuel and conversion equipment to convert such motor vehicles allowing the vehicles to be powered by either the exclusive use of clean alternative fuel or dual use of a clean alternative fuel and a fuel other than a clean alternative fuel. As used in this subsection, "clean alternative fuel" means natural gas, electricity, hydrogen or propane when used as a motor vehicle fuel; or (D) the purchase of goods or services from micro businesses. As used in this subsection, "micro business" means a business with gross revenues not exceeding three million dollars in the most recently completed fiscal year. All other factors being equal, preference shall be given to supplies, materials and equipment produced, assembled or manufactured in the state and services originating and provided in the state.

[D>If<D]

[A>Except with regard to contracts that may be paid for with United States

Department of Transportation funds, if<A] any such bidder refuses to accept, within ten days, a contract awarded to such bidder, such contract may be awarded to the next lowest responsible qualified bidder or the next highest scoring bidder in a multiple criteria bid, whichever is applicable, and so on until such contract is

awarded and accepted.

[D>If<D]

[A>Except with regard to contracts that may be paid for

with United States Department of Transportation funds, if<A] any such proposer refuses to accept, within ten days, a contract awarded to such proposer, such contract shall be awarded to the next most advantageous proposer, and so on until the contract is awarded and accepted. There shall be a written evaluation made of each bid. This evaluation shall identify the vendors and their respective costs and prices, document the reason why any vendor is deemed to be nonresponsive and recommend a vendor for award. A contract valued at one million dollars or more shall be awarded to a bidder other than the

lowest responsible qualified bidder or the highest scoring bidder in a multiple criteria bid, whichever is applicable, only with written approval signed by the Commissioner of Administrative Services and by the Comptroller. The commissioner shall post on the department's Internet web site all awards made pursuant to the provisions of this section.

Sec. 158. Subsections (a) to (c), inclusive, of section 13a-73 of the general statutes are repealed and the following is substituted in lieu thereof (Effective from passage):

(a) "Real property", as used in this section, includes land and buildings and any estate, interest or right in land.

(b) The commissioner may take any land

[D>he<D]

[A>the commissioner<A] finds necessary for

the layout, alteration, extension, widening, change of grade or other improvement of any state highway or for a highway maintenance storage area or garage and the owner of such land shall be paid by the state for all damages, and the state shall receive from such owner the amount or value of all benefits [D>,<D] resulting from such taking, layout, alteration, extension, widening, change of grade or other improvement. The use of any site acquired for highway maintenance storage area or garage purposes by condemnation shall conform to any zoning ordinance or development plan in effect for the area in which such site is located, provided the commissioner may be granted any variance or special exception as may be made pursuant to the zoning ordinances and regulations of the town in which any such site is to be acquired. The assessment of such damages and of such benefits shall

be made by the commissioner and filed by

[D>him<D]

[A>the commissioner<A] with the clerk of

the superior court for the judicial district in which the land affected is located. The commissioner shall give notice of such assessment to each person having an interest of record therein by mailing to each a copy of the same, postage prepaid, and, at any time after such assessment has been made by the commissioner, the physical construction of such layout, alteration, extension, widening, maintenance storage area or garage, change of grade or other improvement may be made. If notice cannot be given to any person entitled thereto because [D>his<D] [A>such person's<A] whereabouts or existence is unknown, notice may be given by publishing a notice at least twice in a newspaper published in the judicial district and having a daily or weekly circulation in the town in which the property affected is located. Any such published notice shall state that it is a

notice to the last owner of record or

[D>his<D]

[A>such owner's<A] surviving spouse, heirs,

administrators, assigns, representatives or creditors if he [A>or she<A] is deceased, and shall contain a brief description of the property taken. Notice shall also be given by mailing to each such person at his [A>or her<A] last-known address, by registered or certified mail, a copy of such notice. If, after a search of the land and probate records, the address of any interested party cannot be found, an affidavit stating such facts and reciting the steps taken to establish the address of any such person shall be filed with the clerk of the court and accepted in lieu of service of such notice by mailing the same to the last known address of such person. Upon filing an assessment with the clerk of the court, the commissioner shall forthwith sign and file for record with the town clerk of the town in which such real property is located a certificate setting forth the fact of such taking, a description of the real property so taken and the names and residences of the owners from whom it was taken. Upon the filing of such certificate, title to such real property in fee simple shall vest in the state of Connecticut, except that, if it is so specified in such certificate, a lesser estate, interest or right shall vest in the state. The commissioner shall permit the last owner of record of

such real property upon which

[D>a residence<D]

[A>an owner-occupied residence or

owner-operated business<A] is situated to remain in such residence [A>or operate such

business<A] , rent free, for a period of

[D>one hundred twenty<D]

[A>ninety<A] days after the

filing of such certificate.

(c) The commissioner may purchase any land and take a deed thereof in the name of the state when such land is needed in connection with the layout, construction, repair, reconstruction or maintenance of any state highway or bridge, and any land or buildings or both, necessary, in the commissioner's opinion, for the efficient accomplishment of the foregoing purpose, and may further, when the commissioner determines that it is in the best interests of the state, purchase, lease or otherwise arrange for the acquisition or exchange of land or buildings or both [A>,<A] [D>for use as a highway maintenance storage area or garage,<D] provided any purchase of such land or land and buildings in an amount in excess of the sum of one hundred thousand dollars shall be approved by a state referee. The commissioner, with the advice and consent of the Attorney General, may settle and compromise any claim by any person, firm or corporation claiming to be aggrieved by such layout, construction, reconstruction, repair or maintenance by the payment of money, the transfer of other land acquired for or in connection with highway purposes, or otherwise. [A>The commissioner shall permit the last owner of record of such real property upon which an owner-occupied residence or owner-operated business is

situated to remain in such residence or operate such business, rent free, for a period of ninety days from the filing of such deed.<A]

Sec. 159. Section 13a-95b of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The Commissioner of Transportation may, as an alternative to using a design-bid-build contract, designate specific projects to be completed using a (1) construction-manager-at-risk contract with a guaranteed maximum price, or (2) design-build contract.

(b) If the commissioner designates a project to use a construction-manager-at-risk contract with a guaranteed maximum price, the commissioner may [A>have the project designed by department personnel or<A] enter into a [D>single<D] contract with an

architect or engineer for the project design,

[D>as well as a single<D]

[A>and may also

enter into a<A] contract with a construction-manager-at-risk contractor who will provide input during the design process and [A>may<A] be responsible for the construction of the project [A>.<A] [D>by selecting trade subcontractors using a low

sealed bid process.<D]

[A>The commissioner may permit the contractor to self-perform a

portion of the construction work if the commissioner determines that the construction manager general contractor can perform the work more cost-effectively than a subcontractor. All work not performed by the construction manager general contractor shall be performed by trade subcontractors selected by a process approved by the commissioner.<A] The construction-manager-at-risk contract shall have an established guaranteed maximum price. [A>In the event that a guaranteed maximum price cannot be agreed upon, the commissioner may elect to call for bids on the project as provided for pursuant to section 13a-95.<A] The commissioner may select the architect, engineer or contractor from among the contractors selected and recommended by a selection panel. Any such contract for such project shall be based upon competitive proposals received by the commissioner, who shall give notice of the project, by advertising at least once, in a newspaper having a substantial circulation in the area in which the project is located [A>, and may give notice on the Department of Administrative Services State Contracting Portal, or use other advertising methods likely to reach qualified construction manager general contractors<A] . Award of any such contract shall be based upon the general conditions and staff costs plus qualitative criteria. The commissioner shall establish all criteria, requirements and conditions of such proposals and award and shall have sole responsibility for all other aspects of the project. Any

contract shall clearly state the responsibilities of the contractor to deliver a completed and acceptable project on a date certain, the maximum cost of the project, and, if applicable, as a separate item, the cost of property acquisition.

(c) If the commissioner designates a project to use a design-build contract, the commissioner may enter into a single contract with the design-builder, who the commissioner may select from among the design-builders selected and recommended by a selection panel. The contract shall (1) include, but not be limited to, such project elements as site acquisition, permitting, engineering design and construction, and (2) be based on competitive proposals received by the commissioner, who shall give notice of the project and specifications for the project, by advertising, at least once, in a newspaper having a substantial circulation in the area in which the project is located [A>, and, at the commissioner's discretion, on the Department of Administrative Services State Contracting Portal, and may use other advertising methods likely to reach qualified design-build contractors<A] . Award of the design-build contract shall be based on a predetermined metric provided to proposers in advance of technical proposal development. This metric may be unique to each project, but shall consist of a combined score of qualifications and past performance of the proposer, technical merit of the proposal and cost. The commissioner shall establish a selection panel for each project to score the qualifications and past performance and technical portion of the proposal using the predefined scoring metric. The sealed cost portion of the proposal shall be opened in a public ceremony only after the qualifications and past performance and technical portions of the proposals have been scored. The commissioner shall determine all criteria, requirements and conditions for such proposals and award and shall have sole responsibility for all other aspects of the contract. Such contract shall state clearly the responsibilities of the design-builder to deliver a completed and acceptable project on a date certain, the maximum cost of the project, and, if applicable, as a separate item, the cost of property acquisition.

Sec. 160. Section 13a-95c of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) For any contract entered into pursuant to section 13a-95b, [A>as amended by this act,<A] the Commissioner of Transportation shall: (1) Perform project development services. Such services may include, but need not be limited to, the size, type and desired design character of the project, performance specifications, quality of materials, equipment, workmanship, preliminary plans or any other information

necessary for the department to issue a

[D>bid package<D]

[A>request for proposals<A] , and

(2) perform oversight of projects and provide inspection services, which shall include, but need not be limited to, inspection of construction, surveying, testing, monitoring of environmental compliance, quality control inspection and quality assurance audits.

(b) (1) After the first two projects performed with contracts authorized pursuant to section 13a-95b, [A>as amended by this act,<A] the Commissioner of Transportation shall perform all development and inspection work, as described in subsection (a) of this section, using department employees. [A>The commissioner may utilize consultants to perform the design of the project, if the commissioner determines, after conducting an assessment of project delivery schedule, staffing capacity and the technical expertise required, that the department lacks the capacity and technical expertise required to perform the design of a project designated to be constructed by a construction-manager-at-risk. For projects designated to be constructed using the design-build contracting method, the responsibility to perform detailed design work shall remain with the contractor.<A] The Commissioner of Administrative Services shall place the positions required for this work on continuous recruitment pursuant to the provisions of section 5-216. In addition, employees may be appointed to durational positions to reduce the need for inspection or development work to be performed by consultants. Such employees may be appointed as engineers if they have met the education, knowledge and training requirements required by the Department of Administrative Services job classification to durational positions without examination to reduce the need for inspection or development work to be performed by consultants. Any contract entered into with a consultant for the initial project bid in accordance with section 13a-95b [A>, as amended by this act,<A] shall contain a provision that provides for training the employees of the Department of Transportation in the process for bidding and managing projects entered into in accordance with section 13a-95b [A>, as amended by this act<A] .

(2) Notwithstanding the provisions of subdivision (1) of this subsection, there shall be a transition period during which the Commissioner of Transportation may authorize the continued use of consultants if necessary to complete contracts authorized pursuant to section 13a-95b [A>, as amended by this act<A] . During this period, the commissioner shall make all reasonable efforts to perform development and inspection work as described in subsection (a) of this section using, where such employees are available, department employees and reducing, and where possible eliminating, the dependency on outside consultants. [A>The commissioner shall establish a program to train department employees to support alternative project delivery methods. Such training program may be provided in projects utilizing consultants, as provided for in this section. The commissioner shall report, on or before October first annually, to the Governor of the progress made in training employees in alternative project delivery methods, improving the diversity of technical expertise of employees and building internal project

delivery capacity.<A] The authority granted by this
[D>subsection<D]
[A>subdivision<A] to use

consultants on contracts entered into pursuant to section 13a-95b [A>, as amended by this act,<A] shall be subject to a termination date which shall be [D>the earlier of (A) the date that the Governor transmits to the joint standing committee of the General Assembly having cognizance of matters relating to

transportation a letter

certifying<D]

[A>January 1, 2022, unless the Governor certifies<A] that the use of

consultants is [D>no longer<D] necessary to complete projects authorized pursuant to section 13a-95b, [A>as amended by this act,<A] [D>or (B) January 1, 2019. This authority shall not continue beyond such termination date unless affirmatively reauthorized

by the action of both houses of the General Assembly<D]

[A>which shall extend such

termination date to a date not later than January 1, 2025<A] .

Sec. 161. Section 13b-34 of the general statutes is amended by adding subsections (j) and (k) as follows (Effective from passage):

(NEW) (j) If the commissioner deems it to be in the best interest of the state, the commissioner may indemnify and hold harmless the Metro-North Commuter Railroad Company for claims brought by the National Railroad Passenger Corporation or other third parties against the Metro-North Commuter Railroad Company relative to the operation of M-8 rail cars on National Railroad Passenger Corporation property, provided such indemnification does not relieve the Metro-North Commuter Railroad Company from liability for its wilful or negligent acts or omissions.

(NEW) (k) The commissioner may indemnify and hold harmless any operator selected pursuant to section 13b-79u to operate on the New Haven-Hartford-Springfield rail line if the commissioner finds that (1) it is in the best interest of the state to do so, and (2) the National Rail Passenger Corporation requires such operator to indemnify and hold harmless said corporation.

Sec. 162. Section 13b-283 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) Railroad companies shall keep in repair all structures under their tracks at any highway crossing. The state shall maintain and repair any structure (1) which spans a railroad and which supports a municipal road or (2) which spans any rail right-of-way which has been purchased by any state agency. The Commissioner of Transportation shall adopt regulations in accordance with the provisions of chapter 54, [A>and may enter into an agreement with any municipality, as provided in subsection (f) of this section,<A] establishing a method by which the cost of repairing and maintaining any structure provided for in subdivision (1) of this subsection shall be apportioned between the state and the municipality in

which

such structure is located. Any

[D>town, city or borough<D]

[A>municipality<A] may repair

such structures over the tracks of a railroad company located within such [D>town,

city or borough<D]

[A>municipality<A] . For the purpose of obtaining liability insurance

coverage insuring against any losses or injuries suffered during the performance

of such repairs, such

[D>town, city or borough<D]

[A>municipality<A] may, in lieu of

purchasing a separate policy of insurance naming such railroad company as an additional insured, purchase a rider to be attached to any existing insurance policy providing such liability coverage, naming such railroad company as an additional insured. The state shall maintain and repair the structures over any railroad on state-maintained highways constructed after January 1, 1955.

(b) The Commissioner of Transportation may expend up to the amount available annually from funds provided by specific appropriation from the Special Transportation Fund or other state funds in addition to any available federal funds to reconstruct, repair or replace with a new structure, together with the minimum approach work required for replacement, any existing structure carrying a town-maintained road or highway over a railroad when such structure is deemed critical from a traffic safety or load-carrying standpoint. The expense of any roadway construction on the approaches beyond what is required to build the new

structure shall be paid by the

[D>town<D]

[A>municipality<A] , if the work is done by or approved by the

[D>town<D]

[A>municipality<A] .

(c) The Commissioner of Transportation may expend up to the amount made available from funds provided by specific appropriations from the Special Transportation Fund or other state funds in addition to any available federal funds to eliminate highway-railroad grade crossings by construction of grade separation structures and necessary approaches or by relocation of [D>town-maintained<D] roads or highways[A>maintained by a municipality<A] to provide access to existing grade separation structures.

(d) The Commissioner of Transportation, as
[D>he<D]

[A>said commissioner<A] deems

necessary, may acquire land or rights of ingress to and egress from land abutting any project which he
[A>or she<A] undertakes pursuant to this section in the same manner and with like powers as authorized
and exercised by said commissioner in acquiring land for state highway purposes.

(e) The Commissioner of Transportation, as
[D>he<D]

[A>said commissioner<A] deems

necessary, may issue an order to any utility, as defined in section 13a-98f, to readjust, relocate or
remove its facility, at its own expense, from any structure or road abutting a structure in order to perform
maintenance or repairs pursuant to this section and such utility shall readjust, relocate or remove its
facility promptly in accordance with such order, except that the cost of readjusting, relocating, or
removing any municipal utility shall be apportioned on the same basis as the cost of constructing such
structure or road abutting such structure. The cost of readjusting, relocating or removing any public
service facility which abuts or is within, on, over or under any state highway shall be apportioned in
accordance with the provisions of section 13a-126.

[A>(f) The Commissioner of Transportation may enter into an agreement with the authorized official or
officials of a municipality for the maintenance and removal of snow and ice from a footpath or sidewalk
on any structure provided for in subdivisions (1) and (2) of subsection (a) of this section.<A]

Sec. 163. Section 14-66 of the general statutes is repealed and the following is substituted in lieu thereof
(Effective October 1, 2015):

(a) (1) No person, firm or corporation shall engage in the business of operating a wrecker for the
purpose of towing or transporting motor vehicles, including motor vehicles which are disabled,
inoperative or wrecked or are being removed in accordance with the provisions of section 14-145,
14-150 or 14-307, unless such person, firm or corporation is a motor vehicle dealer or repairer licensed
under the provisions of subpart (D) of this part. (2) The commissioner shall establish and publish a
schedule of uniform rates and charges for the nonconsensual towing and transporting of motor vehicles
and for the storage of motor vehicles which shall be just and reasonable. Upon petition of any person,
firm or corporation licensed in accordance with the provisions of this section, but not more frequently
than once every two years, the commissioner shall reconsider the established rates and charges and
shall amend such rates and charges if the commissioner, after consideration of the factors stated in this
subdivision, determines that such rates and charges are no longer just and reasonable. In establishing
and amending such rates and charges, the commissioner may consider factors, including, but not limited
to, the Consumer Price Index, rates set by other jurisdictions, charges for towing and transporting
services provided pursuant to a contract with an automobile club or automobile association licensed

under the provisions of section 14-67 and rates published in standard service manuals. The commissioner shall hold a public hearing for the purpose of obtaining additional information concerning such rates and charges. (3) With respect to the nonconsensual towing or transporting and the storage of motor vehicles, no such person, firm or corporation shall charge more than the rates and charges published by the commissioner. Any person aggrieved by any action of the commissioner under the provisions of this section may take an appeal therefrom in accordance with section 4-183, except venue for such appeal shall be in the judicial district of New Britain.

(b) The commissioner, or an inspector authorized by the commissioner, shall examine each wrecker, including its number, equipment and identification, and shall determine the mechanical condition of such wrecker and whether or not it is properly equipped to do the work intended. A wrecker shall be deemed properly equipped if there are two flashing yellow lights installed and mounted on such wrecker that (1) show in all directions at all times, and (2) indicate the full width of such wrecker. Such lights shall be mounted not less than eight feet above the road surface and as close to the back of the cab of such wrecker as practicable. Such lights shall be in operation when such wrecker is towing a vehicle and when such wrecker is at the scene of an accident or the location of a disabled motor vehicle. In addition, each wrecker shall be equipped with a spot light mounted so that its beam of light is directed toward the hoisting equipment in the rear of such wrecker. The hoisting equipment of each wrecker shall be of sufficient capacity to perform the service intended and shall be securely mounted to the frame of such vehicle. A fire extinguisher shall be carried at all times on each wrecker which shall be in proper working condition, mounted in a permanent bracket on each wrecker and have a minimum rating of eight bc. A set of three flares in operating condition shall be carried at all times on each wrecker and shall be used between the periods of one-half hour after sunset and one-half hour before sunrise when the wrecker is parked on a highway while making emergency repairs or preparing to pick up a disabled vehicle to remove it from a highway or adjoining property. No registrant or operator of any wrecker shall offer to give any gratuities or inducements of any kind to any police officer or other person in order to obtain towing business or recommendations for towing or storage of, or estimating repairs to, disabled vehicles. No licensee shall require the owner to sign a contract for the repair of such owner's damaged vehicle as part of the towing consideration or to sign an order for the repair of, or authorization for estimate until the tow job has been completed. No licensee shall tow a vehicle in such a negligent manner as to cause further damage to the vehicle being towed.

(c) Each wrecker used for towing or transporting motor vehicles shall be registered as a wrecker by the commissioner for a fee of one hundred twenty-five dollars. Each such registration shall be renewed biennially according to renewal schedules established by the commissioner so as to effect staggered renewal of all such registrations. If the adoption of a staggered system results in the expiration of any registration more or less than two years from its issuance, the commissioner may charge a prorated amount for such registration fee.

(d) An owner of a wrecker may apply to the commissioner for a general distinguishing number and number plate for the purpose of displaying such number plate on a motor vehicle temporarily in the custody of such owner and being towed or transported by such owner. The commissioner shall issue

such number and number plate to an owner of a wrecker (1) who has complied with the requirements of this section, and (2) whose wrecker is equipped in accordance with subsection (b) of this section. The commissioner shall charge a fee to cover the cost of issuance and renewal of such number plates.

(e) With respect to the nonconsensual towing or transporting of a motor vehicle, no licensee may tow or transport a vehicle to the premises of any person, firm or corporation engaged in the storage of vehicles for compensation unless such person, firm or corporation adheres to the storage charges published by the commissioner.

(f) The provisions of this section shall not apply to any person, firm, corporation or association: (1) Towing or transporting a motor vehicle, provided such person, firm, corporation or association is licensed as a motor vehicle dealer pursuant to the provisions of subpart (D) of this part and does not offer direct towing or transporting to the public or engage in nonconsensual towing or transporting; (2) operating as an automobile club or automobile association licensed under section 14-67; (3) operating as a motor vehicle recycler licensed under section 14-67 I or any contractor of such recycler, provided such recycler or its contractor does not offer towing or transporting to the public or engage in nonconsensual towing or transporting; (4) engaging in the business of repossession of motor vehicles for lending institutions, provided it does not offer direct towing or transporting unless licensed as a motor vehicle dealer under the provisions of subpart (D) of this part; (5) towing motor vehicles owned or leased by such person, firm, association or corporation; (6) towing or transporting motor vehicles for hire, with the appropriate operating authority, as defined in 49 CFR 390. 5, as amended from time to time, provided such person, firm, corporation or association does not offer towing or transporting to the public or engage in nonconsensual towing or transporting; or (7) towing motor vehicles to or from an auction conducted by a dealer licensed pursuant to the provisions of subpart (D) of this part, provided such person, firm, corporation or association does not offer direct towing or transporting to the public or engage in nonconsensual towing or transporting.

[A>(g) Any law enforcement officer or traffic authority, as defined in section 14-297, may determine that a vehicle blocking a travel lane on a limited access highway constitutes an emergency and a threat to public safety. Upon such determination, such law enforcement officer or traffic authority may direct the operator of a wrecker to remove such vehicle. Any such operator of a wrecker shall be held harmless from liability or causes of action for property damages incurred to such vehicle or to its contents or the surrounding area caused by such emergency removal, provided such removal measures are taken under the direction of such officer or authority and all reasonable care is taken by the operator of the wrecker to limit any further damage to such vehicle, such vehicle's contents or the surrounding area.<A]

[D>(g)<D]

[A>(h)<A] For the purposes of this section, "nonconsensual towing or transporting" means the towing or transporting of a motor vehicle in accordance with the provisions of

section 14-145 or for which arrangements are made by order of a law enforcement officer or traffic authority, as defined in section 14-297.

[D>(h)<D]

[A>(i)<A] Any person, firm, corporation or association that violates the provisions of this section shall, for a first offense, be deemed to have committed an infraction and for a second or subsequent offense, shall be guilty of a class D misdemeanor.

Sec. 164. (NEW) (Effective from passage) On or before January 1, 2017, the Commissioner of Transportation, in cooperation with the Commissioners of Emergency Services and Public Protection and Energy and Environmental Protection, shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to transportation, public safety and environment, on the development and implementation of an enhanced accident response plan. Such report shall include, but need not be limited to, a description of (1) existing programs and policies regarding the state's accident response plan, (2) ongoing steps being taken to implement such programs and policies throughout the state, (3) interagency initiatives to ensure a prompt, coordinated and efficient response to accidents or other traffic incidents, (4) outreach efforts to include in such programs and policies other individuals and groups critical to the state's plan for responding to accidents or traffic incidents, (5) any federal programs designed to improve accident or traffic incident response, including the availability of federal funding for implementation of such programs, and (6) the goals set for the coming year in improving the accident response plan.

Sec. 165. Section 15-13 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The Commissioner of Transportation shall license as many residents of this state and any other state as said commissioner deems necessary and finds qualified to act as pilots for one year in any of the ports and waters of this state including the Connecticut waters of Long Island Sound. A license shall be denied to any person holding a license or authority under the laws of any other state

[D>which<D]

[A>that<A] does not issue a license or authority to pilots licensed by the

Connecticut Department of Transportation. Except as [D>hereinafter<D] provided [A>in this

section<A> , no person shall be so licensed unless

[D>he<D]

[A>such person<A] possesses a

federal masters license and has procured a federal first class pilot's license of unlimited tonnage issued by the United States Coast Guard covering the sections of the waters of this state for which application is being made to said commissioner. Each applicant for a license to act as a pilot for any port or waterway of the state [A>,<A] including the Connecticut waters of Long Island Sound [A>,<A] shall document

that

[D>he<D]

[A>such person<A] has made the following passages on ocean-going vessels of

not less than four thousand gross tons, through the port or waterway for which application is being made during the thirty-six months immediately preceding [D>his<D] [A>such<A] application: (1) Twelve round trips on American vessels under enrollment as pilot of record, on which the applicant is not a crew member; or (2) twenty-four round trips as observing pilot on foreign or registered vessels during which the applicant does the piloting work under the supervision and authority of a pilot licensed by this state, provided the applicant possesses a first class pilot's license issued by the United States Coast Guard for the port or waterway; or (3) any combination of the above requirements for trips, substituting two observer trips for each trip as pilot of record.

[A>(b) An extension of route for waters of this state including the Connecticut waters of Long Island Sound, for which application is being made by a pilot currently licensed by the commissioner for eastern Long Island Sound and at least one of the ports of New London, New Haven or Bridgeport, shall be granted provided the applicant (1) has procured a federal first class pilot's license of unlimited tonnage issued by the United States Coast Guard covering the sections of the waters of this state including the Connecticut waters of Long Island Sound, for which application for an extension of route is being made, and (2) can document that, within the thirty-six months immediately preceding such application, the applicant has made six round trips through the port or waterway for which application is being made as observing pilot on vessels under enrollment or vessels under register subject to compulsory pilotage under sections 15-15 and 15-15c, during which the applicant does the piloting work under the supervision and authority of a pilot licensed by this state.<A]

[D>(b)<D]

[A>(c)<A] Each pilot shall, upon the granting of

[D>his<D]

[A>a<A] license, pay a fee of

thirty dollars to said commissioner and shall give a bond of one thousand dollars

to the

[D>State<D] Treasurer and

[D>his<D]

[A>the Treasurer's<A] successors in office, with

surety, to the acceptance of the commissioner, conditioned for the faithful performance of his [A>or her<A] duties as a pilot, upon which bond suit may be brought in the name of said Treasurer for the benefit of any person who may suffer loss or damage, by reason of the ignorance, neglect or misconduct of such pilot in the

discharge of

[D>his<D]

[A>such pilot's<A] duties. The commissioner shall increase such fee

by fifty per cent July 1, 1985, by an additional fifty per cent effective July 1, 1989, by an additional twenty-five per cent effective July 1, 1991, and by an additional twenty-five per cent effective July 1, 1993.

[D>(c)<D]

[A>(d)<A] Each license shall expire on the last day of December following its

issuance and may be renewed upon application and payment of the fee required by

subsection

[D>(b)<D]

[A>(c)<A] of this section, renewal of the bond required under subsection

[D>(b)<D]

[A>(c)<A] of this section and proof of current federal licensure as

required in subsection (a) of this section.

[D>(d)<D]

[A>(e)<A] The Commissioner of Transportation shall keep a record of each license

and, if requested, shall furnish a certificate of such license.

[D>(e)<D]

[A>(f)<A] Said commissioner may suspend or revoke any pilot's license for (1)

incompetence, (2) neglect of duty, (3) misconduct [A>,<A] or (4) using a vessel owned or operated by a person who has not obtained a certificate of compliance under the provisions of section 15-15e for the purpose of embarking or disembarking another vessel in open and unprotected waters. Any person aggrieved by the action of said commissioner under the provisions of this subsection may appeal therefrom in accordance with the provisions of section 4-183.

[D>(f)<D]

[A>(g)<A] Any pilot who has been away from duty for a period of not less than six

months, or who has not completed a passage through any port or waterway for which

[D>he<D]

[A>such pilot<A] is licensed during such period, shall be placed on inactivestatus.

[D>Said<D]

[A>Such<A] pilot shall complete at least one round trip over the port or waterway for which

[D>he<D]

[A>such pilot<A] is licensed before resuming his

[A>or her<A]

duties as a pilot. The refresher passages shall be made in the company of an

active pilot licensed by the state.

[D>Said<D]

[A>Such<A] pilot, before resuming

[D> his<D]

pilotage duties, shall submit to the commissioner a list of completed refresher passages, including the

name, gross tons and draft of each vessel involved, a description and date of each passage and the name of the attending pilot.

[D>(g)<D]

[A>(h)<A] The commissioner may issue limited licenses pursuant to this section.

Such licenses may be limited according to a pilot's qualifications for operating a vessel, which shall include, but not be limited to, the type, size, gross tonnage or draft of a vessel.

[D>(h)<D]

[A>(i)<A] The commissioner shall adopt regulations, in accordance with the

provisions of chapter 54, to carry out the purposes of this section.

Sec. 166. Subsection (d) of section 13b-59 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(d) "License, permit and fee revenues" means (1) all fees and other charges required by, or levied pursuant to sections 12-487, 13b-80 [A>, as amended by this act,<A] and 13b-97, subsection (b) of section 14-12, sections 14-16a, 14-21c, 14-44h and 14-44i, subsection (v) of section 14-49, subsections (b) and (f) of section 14-50, subdivisions (7) to (9), inclusive, of subsection (a) of section 14-50a, sections 14-52, 14-58, 14-67 l and 14-69, subsection (e) of section 14-73, sections 14-96q and 14-103a, subsection (a) of section 14-164a, subsection (a) of section 14-192, subsection (d) of section 14-270, sections 14-319 and 14-320 and sections 13b-410a to 13b-410c, to sections 13b-410a to 13b-410c, inclusive; (2) all aeronautics, waterways, and other fees and charges required by, or levied pursuant to sections 13a-80 and 13a-80a, subsection (b) of section 13b-42 and subsections [D>(b) and<D] (c) [A>and (d)<A] of section 15-13 [A>, as amended by this act<A] ; and (3) all motor vehicle related fines, penalties or other charges as defined in subsection (g) [A>of this section<A] ;

Sec. 167. (Effective from passage) The Department of Transportation shall take all steps necessary to cover the deteriorated Amtrak overpass that is next to a bridge on the Hartford-New Britain busway project in the town of West Hartford. Such steps shall include, on the east side of the Amtrak overpass, design, construction and installation of an overhead sign that spans state Route 529, New Britain Avenue, and covers the Amtrak overpass.

Sec. 168. (NEW) (Effective October 1, 2015) The Department of Transportation shall continue planning efforts for improvements to the New Canaan, Norwalk, Danbury and Waterbury branch rail lines,

including, but not limited to, upgrades and electrification of such rail lines. Not later than January 6, 2017, the department shall provide a report on the progress of such planning efforts to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, and shall provide updates thereafter, as requested by said committee.

Sec. 169. (Effective from passage) (a) The Commissioner of Transportation shall conduct a study of options for operation of the state rail lines. Such study shall include: (1) Research of companies that operate rail lines, including Metro North Commuter Railroad, to ascertain, for each company, such company's (A) past experience in the field of rail line operation, (B) terms of the contracts under which such companies operate and mechanisms used to enforce such terms, (C) performance standards for quality of service and safety provided, and (D) experience in working with other stakeholders to respond promptly and effectively to concerns about the operation of a rail line; (2) outreach to the contracting agencies that employ such companies for their lessons learned, best practices and a summary of the structure and governance of the rail lines subject to these contracts; and (3) the feasibility of, legal and labor issues of, procurement models and schedules for, and costs involved in, a competitive procurement of one or more new contracts to operate the state rail lines. Such study shall be conducted in a manner so as not to interfere with any actual commuter rail service procurements the department is conducting or plans to conduct, including the Hartford line service provider procurement.

(b) Not later than January 1, 2017, the commissioner shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, on the results of the study required pursuant to subsection (a) of this section.

Sec. 170. (Effective from passage) Route 272 in Torrington from the intersection of Route 4 traveling in a northerly direction to the intersection of Hodges Hill Road shall be designated the "Richard W. Nardine Memorial Highway".

Sec. 171. (Effective from passage) Route 173 in Newington from the intersection of Richard Street traveling in a northerly direction to the intersection of Route 174 shall be designated the "Robert J. Seiler Memorial Highway".

Sec. 172. (Effective from passage) Route 106 in Wilton from the New Canaan-Wilton town line traveling in an easterly direction to the intersection of Route 53 shall be designated the "Air Force First Lieutenant Charles M. Baffo Memorial Highway".

Sec. 173. (Effective from passage) The access driveway to the Department of Transportation's Colchester Repair and Electrical Facility located at 80 New London Road shall be designated the "Lisa Maynard Memorial Access Road".

Sec. 174. (Effective from passage) Route 63 in Watertown from the intersection of Bunker Hill Road traveling in a northerly direction to the intersection of Route 6 shall be designated the "Guy E. Buzzannco Memorial Highway".

Sec. 175. (Effective from passage) Route 35, located in Ridgefield, running in a generally northerly direction from the intersection of Limestone Road to the intersection with Route 7 shall be designated the "Maurice Sendak Memorial Highway".

Sec. 176. (Effective from passage) Route 160 in Rocky Hill from the intersection of Route 3 traveling in an easterly direction to the intersection of Gilbert Avenue shall be designated the "James Vicino Memorial Highway".

Sec. 177. (Effective from passage) Route 127, East Main Street, in Bridgeport, from the intersection of Route 130 traveling in a northerly direction to the intersection of Route 1 shall be designated the "65 th U. S. Infantry Regiment, 'The Borinqueneers' Memorial Highway".

Sec. 178. (Effective from passage) Route 196 from Route 66 to Main Street in the town of East Hampton shall be designated the "Russell Oakes Memorial Highway".

Sec. 179. (Effective from passage) Bridge number 00649 on Interstate 84 westbound overpassing Route 10 in Southington shall be designated the "Lieutenant Michael J. Shanley Memorial Bridge".

Sec. 180. (Effective from passage) Bridge number 05349 on Route 82 eastbound over the Yantic River in Norwich shall be designated the "Benjamin Demond Memorial Bridge".

Sec. 181. (Effective from passage) Bridge number 0429 on Route 4 in Farmington overpassing the Farmington River shall be designated the "Albert M. Glenn Memorial Bridge".

Sec. 182. (Effective from passage) Bridge number 00049 on Interstate 95 over Richards Avenue in the town of Norwalk shall be designated the "Army Specialist David R. Fahey, Jr. Memorial Bridge".

Sec. 183. (Effective from passage) Route 243 in Woodbridge shall be designated the "Joseph Anastasio Memorial Highway".

Sec. 184. (Effective from passage) Bridge number 00638 in Middletown shall be designated the "Major General Maurice Rose Memorial Bridge".

Sec. 185. (Effective from passage) Route 1 Mianus River Bridge between the Cos Cob and Riverside sections of Greenwich shall be designated the "Honorable David N. Theis Memorial Bridge".

Sec. 186. (Effective from passage) Route 138 in Lisbon shall be designated the "Aaron Dwight Stevens Memorial Highway".

Sec. 187. (Effective from passage) Bridge number 01752 on Interstate 84 westbound in the town of West Hartford shall be designated the "Lt. Col. George W. Tule Memorial Bridge".

Sec. 188. (Effective from passage) Route 194 in South Windsor running in a generally northerly direction from U. S. Route 5 to Troy Road shall be designated the "Thomas F. Howe Memorial Highway".

Sec. 189. (Effective from passage) Route 10 in Cheshire running in a northerly direction from the entrance of Bartlem Park to the Cheshire Police Station shall be designated the "Medal of Honor Highway".

Sec. 190. (Effective from passage) Route 83 in Glastonbury from the intersection of Howe Street travelling in a northerly direction to the Glastonbury-Manchester town line shall be designated the "Thomas P. Sheridan Memorial Highway".

Sec. 191. (Effective from passage) Bridge number 00488 on Route 66 in Windham shall be designated the "James Carey DeVivo Memorial Bridge".

Sec. 192. (Effective from passage) The Department of Transportation shall attach to existing signage at exit 21, eastbound and westbound, on Interstate 84 in Waterbury, or at another location in the vicinity, as determined by the department, indicating the location of a monument in honor of Father Michael J. McGivney.

Sec. 193. Section 21 of public act 11-256 is repealed and the following is substituted in lieu thereof (Effective from passage):

The portion of State Road 702 from Exit 13 of I-91 westerly to the junction of Route 5 in Wallingford shall be designated the ~~["Major Raoul Lufbery Highway"]~~ ["Major Gervais Raoul Lufbery Memorial Highway"] .

Sec. 194. Section 46 of public act 11-256 is repealed and the following is substituted in lieu thereof (Effective from passage):

~~["A portion of I-84"]~~

["Bridge number 3372 A and B on Interstate 84"] in Hartford shall be designated the

~~["Tuskegee Airmen Highway"]~~

["Tuskegee Airmen Memorial Bridge"] .

Sec. 195. Section 44 of public act 13-277 is repealed and the following is substituted in lieu thereof (Effective from passage):

Bridge number 00648 on Interstate 84 eastbound in Southington overpassing Route 10

shall be designated the

~~["John A. Dolan Memorial Bridge"]~~

["Trooper John A. Dolan

Memorial Bridge"] .

Sec. 196. Subsection (a) of section 14-11b of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) There shall be within the Department of Rehabilitation Services a unit for the purpose of evaluating and training persons with disabilities in the operation of motor vehicles. There shall be assigned to the driver training unit for persons with disabilities such staff as is necessary for the orderly administration of the driver training program for persons with disabilities. The personnel assigned to the driver training unit for persons with disabilities shall, while engaged in the evaluation or instruction of a person with disabilities, have the authority and immunities with respect to such activities as are granted under the general statutes to motor vehicle inspectors. [A>The Commissioner of Motor Vehicles may permit a person whose license has been withdrawn as a result of a condition that makes such person eligible for evaluation and training under this section to operate a motor vehicle while accompanied by personnel assigned to the driver training unit for persons with disabilities.<A] When a person with disabilities has successfully completed the driver training program for persons with disabilities,

the

[D>department<D]

[A>Department of Rehabilitation Services<A] shall certify such

completion in writing to the Commissioner of Motor Vehicles and shall recommend any license restrictions or limitations to be placed on the license of such person. The Commissioner of Motor Vehicles may accept such certification in lieu of the driving skills portion of the examination prescribed under subsection (e) of section 14-36. If such person with disabilities has met all other requirements for obtaining a license, the Commissioner of Motor Vehicles shall issue a license

with such restrictions recommended by the

[D>department<D]

[A>Department of

Rehabilitation Services<A] .

Sec. 197. Subsection (b) of section 14-15 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(b) Each person, firm or corporation licensed under the provisions of subsection (a) of this section that in the opinion of the commissioner is qualified and holds a current registration certificate for a motor vehicle used in connection with its business may issue a sixty-day temporary transfer of such registration to any other vehicle used in connection with its business [A>.<A] [D>with an official stamp issued by the commissioner to such licensee.<D] The licensee, within five days from the issuance of such temporary registration, shall submit to the commissioner an application together with all necessary documents for a permanent registration for the vehicle transferred. The commissioner shall adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of this subsection.

Sec. 198. Section 14-36a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) A commercial driver's license issued in accordance with section 14-44c [A>, as amended by this act,<A] shall be designated as class A, B or C, in accordance with the provisions of subsection (b) of section 14-44d. All other operators' licenses shall be designated as class D. A license of any class that also authorizes the operation of a motorcycle shall contain the designation "M".

(b) [D>A commercial driver's license which contains the endorsement "S" evidences that the holder meets the requirements of section 14-44 to operate a school bus or any vehicle described in subsection (c) of this section.<D] A commercial driver's license may contain any of the following [D>additional<D] endorsements:

"P"- authorizes the operation of commercial motor vehicles designed to carry passengers;

[A>"S"- in combination with "P", authorizes the operation of a school bus or any vehicle described in subsection (c) of this section;<A]

"H"- authorizes the operation of vehicles transporting hazardous materials;

"N"- authorizes the operation of tank vehicles;

"X"- authorizes both hazardous materials and tank vehicles; and

"T"- authorizes the operation of vehicles with up to three trailing, nonpower units.

The commissioner may establish one or more restrictions on commercial driver's licenses of any class, in regulations adopted in accordance with the provisions of chapter 54. Subject to the provisions of subsection (b) of section 14-44d, a commercial driver's license of any class authorizes the holder of such license to operate any motor vehicle that may be operated by the holder of a class D operator's license.

(c) A commercial driver's license or a class D license that contains any of the following [A>public passenger<A] endorsements [A>, as defined in section 14-1,<A] evidences that the holder meets the requirements of section 14-44 [A>, as amended by this act<A] :

"V"- authorizes the transportation of passengers in a student transportation vehicle, as defined in section 14-212, or any vehicle that requires an "A" or "F" endorsement;

"A"- authorizes the transportation of passengers in an activity vehicle, as defined in section 14-1, or any vehicle that requires an "F" endorsement; and

"F"- authorizes the transportation of passengers in a taxicab, motor vehicle in livery service, service bus or motor bus.

The commissioner may establish one or more endorsements or restrictions on class D licenses, in

accordance with regulations adopted in accordance with the provisions of chapter 54.

(d) A license of any class that contains the designation "Q" indicates eligibility to operate fire apparatus. A "Q" endorsement shall signify that the holder has been trained to operate fire apparatus in accordance with standards established by the Commission on Fire Prevention and Control. No such endorsement shall be issued to any person until he or she demonstrates personally to the commissioner, or the commissioner's designee, including the Connecticut Fire Academy, any regional fire school or the chief local fire official of any municipality as defined in section 7-323j, by means of testing in a representative vehicle that such person possesses the skills necessary for operation of fire apparatus.

(e) No person shall operate a motor vehicle in violation of the classification of the license issued to such person.

(f) No employer shall knowingly require or permit an employee who is acting within the scope of such employee's employment to operate a motor vehicle in violation of the classification of such employee's license.

(g) (1) Any person who violates any provision of subsection (e) of this section shall, for a first offense, be deemed to have committed an infraction and be fined fifty dollars and, for a subsequent offense, be guilty of a class D misdemeanor.

(2) Any employer who violates subsection (f) of this section shall be subject to a civil penalty of not more than one thousand dollars for a first violation and not more than two thousand five hundred dollars for a second or subsequent violation.

(h) The revocation, suspension or withdrawal of, or refusal to issue or renew an "S" endorsement, or any endorsement described in subsection (c) of this section, shall prohibit the licensee from operating any public service passenger vehicle for which a [A>public<A] passenger endorsement is required under this section. During the period of such revocation, suspension or withdrawal of, or after a refusal to issue or renew an "S" endorsement, or any endorsement described in subsection (c) of this section, the commissioner shall not issue any other [A>public<A] passenger endorsement to such licensee.

Sec. 199. Section 14-36d of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The commissioner may acquire, by lease or purchase, and install at offices of the Department of Motor Vehicles and at such other locations where operator's licenses are issued or renewed, such equipment as may be necessary to carry out the provisions of this chapter.

(b) The commissioner may provide for the renewal of any motor vehicle operator's license, commercial driver's license or identity card without personal appearance of the license [A>or card<A] holder, in circumstances where the holder is a member of the armed forces, is temporarily residing outside of this state for business or educational purposes, or in other circumstances where, in the judgment of the commissioner, such personal appearance would be impractical or pose a significant hardship. The

commissioner shall decline to issue any such renewal without personal appearance if the commissioner is not satisfied as to the reasons why the applicant cannot personally appear, if the commissioner does not have the applicant's color photograph or digital image on file, if satisfactory evidence of the identity of the applicant has not been presented, or if the commissioner has reason to believe that the applicant is no longer a legal resident of this state.

[A>(c) The commissioner may issue or renew any license, any instruction permit or an identity card issued or renewed pursuant to this title or section 1-1h by any method that the commissioner deems to be secure and efficient. If the commissioner determines that an applicant has met all conditions for such issuance or renewal, the commissioner may require that such license, instruction permit or identity card be produced at a centralized location and mailed to the applicant. The commissioner may issue a temporary license, instruction permit or identity card for use by the applicant for the period prior to the applicant's receipt of the permanent license, instruction permit or identity card. Such temporary license, instruction permit or identity card shall have an expiration date not later than thirty days after the date of issuance and shall remain valid until the earlier of such expiration date or the date the applicant receives such license, instruction permit or identity card.<A]

[D>(c)<D]

[A>(d)<A] The commissioner may adopt regulations to provide for the renewal of

the motor vehicle operator's license, commercial driver's license or identity card of any person not identified in subsection (b) of this section by mail or by electronic communication with the Department of Motor Vehicles.

Sec. 200. Section 14-44 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) (1) No person shall operate a commercial motor vehicle used for passenger transportation on any public highway of this state until such person has obtained a commercial driver's license with a [A>public<A] passenger endorsement [A>, as defined in section 14-1,<A] from the Commissioner of Motor Vehicles, except a nonresident who holds such license with such endorsement issued by another state. (2) No person shall operate a school bus until such person has obtained a commercial driver's license with a school bus endorsement, except that a person who holds such a license without such endorsements may operate a school bus without passengers for the purpose of road testing or moving the vehicle. (3) No person shall operate a student transportation vehicle, as defined in section 14-212, taxicab, motor vehicle in livery service, motor bus or service bus until such person has obtained an operator's license of the proper classification bearing an appropriate [A>public passenger<A] endorsement from the Commissioner of Motor Vehicles, issued in accordance with the provisions of this section and section 14-36a, [A>as amended by this act,<A] except that a person who holds an

operator's license without such endorsement may operate any such vehicle without passengers for the purpose of road testing or moving the vehicle.

(b) No operator's license bearing

[D>an<D]

[A>a public passenger<A] endorsement shall be

issued or renewed in accordance with the provisions of this section or section 14-36a, [A>as amended by this act,<A] until the Commissioner of Motor Vehicles, or the commissioner's authorized representative, is satisfied that the applicant is a proper person to receive such an operator's license bearing an endorsement, holds a valid motor vehicle operator's license, or, if necessary for the class of vehicle operated, a commercial driver's license and is at least eighteen years of

age. Each applicant for an operator's license bearing

[D>an<D]

[A>a public passenger<A]

endorsement or the renewal of such a license shall furnish the Commissioner of Motor Vehicles, or the commissioner's authorized representative, with satisfactory evidence, under oath, to prove that such person has no criminal record and has not been convicted of a violation of subsection (a) of section 14-227a within five years of the date of application and that no reason exists for a refusal to grant

or renew such an operator's license bearing

[D>an<D]

[A>a public passenger<A] endorsement. Each applicant for such an operator's license bearing

[D>an<D]

[A>a public passenger<A]

endorsement shall submit with the application proof satisfactory to the Commissioner of Motor Vehicles that such applicant has passed a physical examination administered not more than ninety days prior to the date of application, and which is in compliance with safety regulations established from time to time by the United States Department of Transportation. Each applicant for renewal of such license shall present evidence that such applicant is in compliance with the medical qualifications established in 49 CFR 391, as amended, provided an applicant for a Class D operator's license bearing an endorsement described in subsection (c) of section 14-36a [A>, as amended by this act,<A] shall be deemed medically qualified if such applicant (1) controls with medication, as certified by a licensed physician, a medical condition that would otherwise deem such applicant not medically qualified, and (2) would qualify for a waiver or exemption under 49 CFR 391, as amended. Each applicant for such an operator's

license bearing

[D>an<D]

[A>a public passenger<A] endorsement shall be fingerprinted before the license bearing

[D>an<D]

[A>a public passenger<A] endorsement is issued.

(c) The Commissioner of Motor Vehicles may issue, withhold, renew, suspend, cancel or revoke any [A>public passenger<A] endorsement required to operate a motor vehicle that transports passengers, as provided in subsection (c) of section 14-36a [A>, as amended by this act<A]. The Commissioner of Motor Vehicles may, in making his or her decision, consider the age, accident and criminal record, moral character and physical condition of any such applicant or [A>public passenger<A] endorsement holder and such other matters as the commissioner may determine. The Commissioner of Motor Vehicles may require any such applicant or [A>public passenger<A] endorsement holder to furnish the statements of two or more reputable citizens, which may be required to be under oath, vouching for the good character or other qualifications of the applicant or [A>public passenger<A] endorsement holder.

(d) Upon the arrest of any person who holds an operator's license bearing a public passenger endorsement, as defined in section 14-1, and who is charged with a felony or violation of section 53a-73a, the arresting officer or department, within forty-eight hours, shall cause a report of such arrest to be made to the Commissioner of Motor Vehicles. The report shall be made on a form approved by said commissioner containing such information as the commissioner prescribes. The Commissioner of Motor Vehicles may adopt regulations, in accordance with chapter 54, to implement the provisions of this subsection.

(e) Prior to issuing an operator's license bearing a school endorsement or bearing the appropriate type of [A>public passenger<A] endorsement for operation of a student transportation vehicle pursuant to subdivision (4) of subsection (a) of this section, the Commissioner of Motor Vehicles shall require each applicant to submit to state and national criminal history records checks, conducted in accordance with section 29-17a, and a check of the state child abuse and neglect registry established pursuant to section 17a-101k. The Commissioner of Emergency Services and Public Protection shall complete such state and national criminal history records checks required pursuant to this section within sixty days of receiving such a request for a check of such records. If notice of a state or national criminal history record is received, the Commissioner of Motor Vehicles may, subject to the provisions of section 46a-80, refuse to issue an operator's license bearing such [A>public passenger<A] endorsement and, in such case, shall immediately notify the applicant, in writing, of such refusal. If notification that the applicant is listed as a perpetrator of abuse on the state child abuse and neglect registry established pursuant to section 17a-101k is received, the Commissioner of

Motor Vehicles may refuse to issue an operator's license bearing such

[D>an<D]

[A>public

passenger<A] endorsement and, in such case, shall immediately notify the applicant, in writing, of such

refusal. The Commissioner of Motor Vehicles shall not issue a temporary operator's license bearing a school endorsement or bearing the appropriate type of [A>public passenger<A] endorsement for operation of a student transportation vehicle.

(f) Notwithstanding any other provision of this section, the commissioner shall

not issue an operator's license bearing

[D>an<D]

[A>a public passenger<A] endorsement to

transport passengers who are students, and shall suspend any such [A>public passenger<A] endorsement that has been issued, to any person who has been convicted of a serious criminal offense, as determined by the Commissioner of Motor Vehicles, or convicted of any provision of federal law or the law of any other state, the violation of which involves conduct that is substantially similar to a violation determined by the Commissioner of Motor Vehicles to be a serious criminal offense, if any part of the sentence of such conviction has not been completed, or has been completed during the preceding five years. The Commissioner of Motor Vehicles shall adopt regulations, in accordance with chapter 54, to implement the provisions of this subsection.

(g) Any applicant who is refused an operator's license bearing

[D>an<D]

[A>a public

passenger<A] endorsement or the renewal of such a license, or whose operator's

license bearing

[D>an<D]

[A>a public passenger<A] endorsement or the renewal of such a

license is withdrawn or revoked on account of a criminal record, shall be entitled to a hearing if requested in writing within twenty days. The hearing shall be conducted in accordance with the requirements of chapter 54 and the applicant may appeal from the final decision rendered therein in accordance with section 4-183.

(h) Notwithstanding the provisions of section 14-10, the commissioner shall furnish to any board of education or to any public or private organization that is actively engaged in providing public transportation, including the transportation of school children, a report containing the names and motor vehicle operator license numbers of each person who has been issued an operator's license with one or more [A>public passenger<A] endorsements, authorizing such person to transport passengers in accordance with the provisions of section 14-36a, [A>as amended by this act,<A] but whose license or any such [A>public passenger<A] endorsement has been withdrawn, suspended or revoked by the Commissioner of Motor Vehicles in accordance with the provisions of this section, or any other provision

of this title. The report shall be issued and updated periodically in accordance with a schedule to be established by the Commissioner of Motor Vehicles. Such report may be transmitted or otherwise made available to authorized recipients by electronic means.

(i) Violation of any provision of this section shall be an infraction.

Sec. 201. Section 14-44c of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The application for a commercial driver's license or commercial driver's instruction permit, shall include the following:

(1) The full name and current mailing and residence address of the person;

(2) A physical description of the person, including sex, height and eye color;

(3) Date of birth;

(4) The applicant's Social Security number;

(5) The person's statement, under oath, that

[D>he<D]

[A>such person<A] meets the

requirements for qualification contained in 49 CFR 391, as amended, or does not expect to operate in interstate or foreign commerce;

(6) The person's statement, under oath, that the type of vehicle in which the person has taken or intends to take the driving skills test is representative of the type of motor vehicle the person operates or intends to operate;

(7) The person's statement, under oath, that

[D>he<D]

[A>such person<A] is not subject to

disqualification, suspension, revocation or cancellation of operating privileges in any state, and that he [A>or she<A] does not hold an operator's license in any other state;

(8) The person's identification of all states in which such person has been licensed to drive any type of motor vehicle during the last ten years, and the person's statement, under oath that he [A>or she<A] does not hold an operator's license in any other state; and

(9) The person's signature, and certification of the accuracy and completeness of the application, subject to the penalties of false statement under section 53a-157b. The application shall be accompanied by the fee prescribed in section 14-44h.

(b) No person who has been a resident of this state for thirty days may drive a commercial motor vehicle under the authority of a commercial driver's license issued by another jurisdiction.

[A>(c) At the time of application for a commercial driver's license, the applicant shall make the applicable certification, as required by 49 CFR 383.71(b), regarding the type of commerce in which such person shall engage. No commercial driver's license shall be issued to a person who fails to make such certification.<A]

[D>(c)<D]

[A>(d)<A] In addition to other penalties provided by law, any person who knowingly falsifies information or certifications required under subsection (a) of

this section shall have

[D>his<D]

[A>such person's<A] operator's license or privilege to operate a motor vehicle in this state suspended for sixty days.

Sec. 202. Subsection (b) of section 14-44e of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(b) The commissioner shall not issue a commercial driver's license or a commercial driver's instruction permit to any [D>person who has a physical or psychobehavioral impairment that affects such person's ability to operate a commercial motor vehicle safely. In determining whether to issue a commercial driver's license in any individual case, the commissioner shall apply the standards set forth in 49

CFR 391. 41, as amended.<D]

[A>applicant who is not physically qualified and medically certified in accordance with the standards in 49 CFR 391.41. As required by 49 CFR 383.71(h), each applicant for a commercial driver's license or commercial driver's instruction permit shall provide to the commissioner a copy of a medical examiner's certificate, prepared by a medical examiner, as defined in 49 CFR 390.5, indicating that such applicant is medically certified to operate a commercial motor vehicle. For each applicant who has submitted such medical certification and who has also certified, in accordance with 49 CFR 383.71(b) and subsection (c) of section 14-44c, as amended by this act, that such applicant operates in nonexcepted interstate commerce, the commissioner shall post a medical certification status of "certified" on the Commercial Driver's License Information System driver record for such applicant. The holder of a commercial driver's license who has not been examined and certified as

qualified to operate a commercial motor vehicle during the preceding twenty-four months, or a shorter period as indicated by the medical examiner submitting such certificate, shall be required to submit a new medical certificate. The commissioner shall not issue a commercial driver's license or commercial driver's instruction permit to any applicant or holder who fails to submit the medical certification required by this section. If the holder of a commercial driver's license or commercial driver's instruction permit fails to submit a new medical examiner's certificate before the expiration of twenty-four months or the period specified by the medical examiner, whichever is shorter, the commissioner shall, not later than sixty days after the date that such holder's medical status becomes uncertified: (1) Downgrade the commercial driver's license to a Class D operator's license; or (2) cancel the

commercial driver's instruction permit.<A] Any
[D>person<D]
[A>applicant or holder<A] who is

denied a commercial driver's license or a commercial driver's instruction permit, or whose license or permit is [A>disqualified,<A] suspended, revoked or cancelled pursuant to this subsection shall be granted an opportunity for a hearing in accordance with the provisions of chapter 54.

Sec. 203. Subsection (h) of section 14-44e of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(h) [A>(1)<A] The commissioner shall deny or disqualify for a period of sixty days a commercial driver's instruction permit or commercial driver's license if it is determined that an applicant or holder has provided false information on any certification the applicant or holder is required to give relative to such permit or license application.

[A>(2)<A] If an applicant or holder is suspected of fraud related to the issuance of a commercial driver's instruction permit or commercial driver's license, such applicant or holder shall be required to schedule the commercial driver's license knowledge test and driving skills test not later than thirty days after notification by the commissioner of the suspected fraud. Failure to schedule both such tests or failure to pass both such tests shall result in disqualification of such permit or license and the applicant or holder shall be required to reapply for the permit or license.

[A>(3)<A] Any applicant or holder convicted of fraud related to the issuance of a commercial driver's instruction permit or commercial driver's license shall have such applicant's or holder's permit or license disqualified for one year from the date of conviction and shall be required to retake such tests.

Sec. 204. Subsection (d) of section 14-44g of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(d) Each person applying for the renewal of a commercial driver's license shall complete a renewal

application form providing an update and, if necessary, corrections to the information required on the original application, pursuant to section 14-44c [A>, as amended by this act<A] . If an applicant for renewal wishes to retain a hazardous materials endorsement, he [A>or she<A] must pass the written test for such endorsement, and must meet the requirements of subsection (d) of section 14-44e.

[A>Upon renewal of a commercial driver's license, and at such other times as required in 49 CFR 383.71, the holder of a commercial driver's license shall make the applicable certification, as required by 49 CFR 383.71(b), regarding the type of commerce in which such holder is engaged. The commissioner shall refuse to renew the commercial driver's license of any holder who fails to make such certification, and shall downgrade the commercial driver's license to a Class D operator's license not later than sixty days after the failure of such holder to so certify.<A]

Sec. 205. Section 14-46b of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) There is established within the department a Motor Vehicle Operator's License Medical Advisory Board which shall advise the commissioner on the medical aspects and concerns of licensing operators of motor vehicles. The board shall consist of not less than eight members or more than fifteen members appointed by the commissioner from a list of nominees submitted by the Connecticut State Medical Society [A>,<A] [D>and<D] the Connecticut Association of Optometrists [A>, and such other professional medical associations or organizations that have as members physician assistants or advanced practice registered nurses<A] . The Connecticut State Medical Society [A>and such other organizations<A] shall submit nominees representing the specialties of (1) general medicine or surgery, (2) internal medicine, (3) cardiovascular medicine, (4) neurology or neurological surgery, (5) ophthalmology, (6) orthopedics, [D>and<D] (7) psychiatry [A>, and (8) occupational medicine<A] . The Connecticut Association of Optometrists shall submit nominees representing the specialty of optometry.

(b) Initially, three members shall be appointed for a two-year term, three members for a three-year term and the remainder of the members for a four-year term. Appointments thereafter shall be for four-year terms. Any vacancy shall be filled by the commissioner for the unexpired portion of a term. The commissioner shall designate the chairman of the board.

(c) Board members shall serve without compensation but shall be reimbursed for necessary expenses or services incurred in performing their duties, including the giving of testimony at any administrative hearing when requested by the

commissioner.

[D>Physicians<D]

[A>Medical professionals<A] who are not members of the board

and conduct examinations at the request of the board shall be compensated for these examinations.

(d) The board shall meet at the call of the commissioner at least [D>twice a year<D] [A>annually<A] .

Special meetings may be held to fulfill the responsibilities specified in section 14-46c [A>, as amended by this act<A] .

(e) Any meeting of the board in which the medical condition of any individual is discussed for purposes of making a recommendation on his [A>or her<A] fitness to operate a motor vehicle shall be held in executive session.

[A>(f) As used in this section and section 14-46c, as amended by this act, "medical professional" means a licensed physician, physician assistant, advanced practice registered nurse or optometrist.<A]

Sec. 206. Section 14-46c of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

The board shall have the following responsibilities: (1) To advise the commissioner on health standards relating to the safe operation of motor vehicles; (2) to recommend to the commissioner procedures and guidelines for licensing individuals with impaired health; (3) to assist in developing medically acceptable standardized report forms; (4) to recommend a training course for motor vehicle examiners on the medical aspects of operator licensure; (5) to undertake any programs and activities the commissioner may request relating to the medical aspects of motor vehicle operator licensure; and (6) to make recommendations and offer advice on individual health problem cases referred by the commissioner not later than sixty days from the date of such reference and to establish guidelines for dealing with such individual cases. In making such recommendations, the board may rely on medical or optometric records and reports, personally interview such individual or require a physical examination of such individual and a written

medical report by a

[D>physician or a report by an optometrist<D]

[A>medical

professional, as defined in section 14-46b, as amended by this act,<A] designated by the board who shall not be a member of the board. Such individual may obtain a medical report by a [D>physician or a report by an optometrist of his choice,

licensed to practice in this state<D]

[A>licensed medical professional of such

individual's choice<A] , which shall be given due consideration by the board in making any such recommendations.

Sec. 207. Section 14-46e of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The commissioner shall give due consideration to any recommendations of the board and to any reports, records or opinions submitted pursuant to sections 14-46a to 14-46g, to sections 14-46a to 14-46g, inclusive, but such recommendations, reports, records or opinions shall be merely advisory and not binding on the commissioner.

[A>(b) The commissioner may authorize a person whose license is withdrawn under sections 14-46a to 14-46g, to sections 14-46a to 14-46g, inclusive, to operate a motor vehicle on a limited basis provided the following conditions are met: (1) The commissioner, after a hearing held in accordance with chapter 54, determines that such person does not have a health problem that affects such person's ability to safely operate a motor vehicle and has ordered that such person submit to and pass a road skills test as a condition of license reinstatement; and (2) such operation occurs only while the person is under the instruction of and accompanied by a driving instructor licensed under section 14-73, or is in a vehicle with a motor vehicle testing agent who is administering a road skills test.<A]

[D>(b)<D]

[A>(c)<A] Any person who is the subject of any inquiry under sections 14-46a to

14-46g, inclusive, who refuses to submit to a physical examination or provide other information requested by the commissioner or board shall be considered unfit to operate a motor vehicle until he [A>or she<A] complies with such request.

Sec. 208. Subsection (a) of section 14-47 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The commissioner shall determine the gross weight of each motor vehicle which is eligible for commercial registration, including each tractor equipped with rubber tires and, for the purpose of computing fees, gross weight shall be the weight of the vehicle in pounds plus the rated load capacity in pounds as determined by the commissioner [A>.<A] [D>, provided, in the case of a tractor restricted for use with a trailer, registered as a heavy duty trailer, the fee shall be based on the gross weight of the tractor which shall be the light weight of such

tractor; and said<D]

[A>The<A] commissioner shall collect fees for registration based on

such gross weight, as follows: When all surfaces in contact with the ground are equipped with pneumatic tires, the fee for such motor vehicle or tractor of gross weight not exceeding twenty thousand pounds shall be eleven dollars and sixty cents, for each one thousand pounds or fraction thereof; from twenty

thousand one pounds up to and including thirty thousand pounds, fourteen dollars and twenty cents, for each one thousand pounds or fraction thereof; from thirty thousand one pounds up to and including seventy-three thousand pounds, seventeen dollars and seventy cents, for each one thousand pounds or fraction thereof; and seventy-three thousand one pounds or more, nineteen dollars and twenty cents, for each one thousand pounds or fraction thereof. In addition to any other fee required under this subsection, a fee of ten dollars shall be collected for the registration of each motor vehicle subject to this subsection.

Sec. 209. Subdivision (9) of subsection (a) of section 14-50a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(9) Certified transcripts of hearing held [A>and transcribed<A] by the commissioner, three dollars and fifty cents perwith a minimum charge of twenty dollars.

Sec. 210. Subdivision (5) of subsection (b) of section 14-52 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(5) The commissioner shall assess

[D>a<D]

[A>an administrative<A] fee of fifty dollars

against any licensee for failing to [D>continuously maintain the bond requirements of

this subsection<D]

[A>provide proof of bond renewal or replacement on or before the

date of the expiration of the existing bond<A] . Such fee shall be in addition to the license suspension or revocation penalties and the civil penalties to which the licensee is subject pursuant to section 14-64.

Sec. 211. Subsection (c) of section 14-58 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(c) Registration certificates issued under the provisions of this section shall not be required to be carried upon such motor vehicles when upon the public highways as required under subsection (a) of section 14-13, except that the licensee shall issue to each person driving such motor vehicle a document indicating that such person is validly entrusted with such vehicle which document shall be carried in the motor vehicle. The commissioner shall determine the form and contents of this document. Legible photostatic copies of such registration certificates may be carried in such vehicles as proof of ownership. The licensee shall furnish financial responsibility satisfactory to the commissioner as defined in section 14-112, [A>as amended by this act,<A] provided such financial responsibility shall not be required from a licensee when the commissioner finds that the licensee is of sufficient financial responsibility to meet

such legal liability. The commissioner may issue such license upon presentation of evidence of such financial responsibility satisfactory to the commissioner. The

commissioner shall assess

[D>a<D]

[A>an administrative<A] fee of fifty dollars against any

licensee for failing to [D>continuously maintain the financial responsibility

requirements of this subsection<D]

[A>provide proof of policy or bond renewal or

replacement on or before the expiration date of the existing policy or bond<A] . Such fee shall be in addition to the license suspension or revocation penalties and the civil penalties to which the licensee is subject pursuant to section 14-64.

Sec. 212. Subsection (a) of section 14-61 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) Any dealer licensed under the provisions of this subpart who in the opinion of the commissioner is qualified and sells or trades a passenger motor vehicle, motorcycle, camper, camp trailer, commercial trailer, service bus, school bus or truck to a transferee who holds a current registration certificate for a passenger motor vehicle, motorcycle, camper, camp trailer, commercial trailer, service bus, school bus or truck registered in this state may issue a sixty-day temporary transfer of such registration to the vehicle transferred [A>.<A] [D>with an official stamp issued by the commissioner, under regulations adopted by the commissioner, to such dealer.<D] The commissioner shall charge such dealer a fee of ten dollars for each new temporary dealer transfer form furnished for the purposes of this section. No dealer may make such temporary transfer of a registration unless the transferee surrenders the current registration certificate to the dealer indicating the disposition of the vehicle described thereon in the space provided on the reverse side of such certificate and unless the transferee is eighteen years of age or older. The dealer shall, within five days from the issuance of such temporary registration, submit to the commissioner an application together with all necessary documents for a permanent registration for the vehicle transferred. No such temporary registration may be issued if (1) the transferred passenger motor vehicle, motorcycle, camper, camp trailer, commercial trailer, service bus, school bus or truck is used and was not previously registered in this state, unless the inspection requirements of section 14-12 have been met, (2) such motor vehicle is ten or more years old, unless the inspection requirements of section 14-16a have been met, or (3) such motor vehicle has been declared a total loss by an insurance company, unless the inspection requirements of section 14-103a have been met.

Sec. 213. Section 14-96p of the general statutes is repealed and the following is substituted in lieu

thereof (Effective from passage):

[D>(a) (1) No person shall display upon any motor vehicle any light visible from the front thereof other than white, yellow or amber, or any light other than red, yellow, amber or white visible from the rear thereof, except a light used with any school bus, without a special permit from the commissioner, in accordance with the provisions of subsection (c) of section 14-96q. Notwithstanding this subsection, no permit shall be required for motor vehicles that are (A) equipped with lights in accordance with this section and section 14-96q, (B) owned or leased by the federal government, the state of Connecticut or a Connecticut municipality, (C) registered to such governmental entity, and (D) displaying government plates.<D]

[D>(2) Any vehicle accommodating fifteen or fewer students with disabilities may use a flashing red light or lights during the time such vehicle is stopped for the purpose of receiving or discharging such students with disabilities, any motor bus may carry a purple light or lights, any interstate public service vehicle may carry a green light or lights, any taxicab may carry a lunar white light or lights, and any interstate commercial motor vehicle may display green identification lights, in front thereof, as the commissioner may permit.<D]

[D>(3) A vehicle being operated by the chief executive officer of an emergency medical service organization, as defined in section 19a-175, the first or second deputies, or if there are no deputies, the first or second assistants, of such an organization that is a municipal or volunteer or licensed organization, an ambulance, as defined in section 19a-175, a vehicle being operated by a local fire marshal or a local director of emergency management may use a flashing red light or lights or flashing white head lamps and a flashing amber light while on the way to the scene of an emergency, except that an ambulance may use flashing lights of other colors specified by federal requirements for the manufacture of such vehicle. The chief executive officer of each such organization shall provide annually during the month of January, on forms provided by the commissioner, such officer's name and address and the registration number on the number plate or plates of the vehicle on which the authorized red light is or white head lamps and amber light are to be used. A vehicle being operated by a member of a volunteer fire department or company or a volunteer emergency medical technician may use flashing white head lamps, provided such member or emergency medical technician is on the way to the scene of a fire or medical emergency and has received written authorization from the chief law enforcement officer of the municipality to use such head lamps. Such head lamps shall only be used within the municipality granting such authorization or from a personal residence or place of employment, if located in an adjoining municipality. Such authorization may be revoked for use of such head lamps in violation of this subdivision.<D]

[D>(4) Flashing or revolving white lights may not be displayed upon a motor vehicle except (A) on fire emergency apparatus, (B) on motor vehicles of paid fire chiefs and their deputies and assistants, up to a total of five individuals per department, and may be displayed in combination with flashing or revolving red lights, (C) on motor vehicles of volunteer fire chiefs and their deputies and assistants, up to a total of five individuals per department, and may be displayed in combination with flashing or revolving red

lights, (D) as a means of indicating a right or left turn, (E) in conjunction with flashing red lights on an ambulance responding to an emergency call, or (F) on the top rear of any school bus. For the purpose of this subsection, the term "students with disabilities" means students who have intellectual disability, autism spectrum disorder, mental disability, visual impairment, blindness, hearing impairment, deafness, speech impairment, orthopedic impairment, or another health-impairment, who by reason thereof, require special education and related services; and the term "flashing white lights" shall not include the simultaneous flashing of head lamps.<D]

[D]>(b) A blue light may not be illuminated upon a motor vehicle, except that a vehicle being operated by an active member of a volunteer fire department or company or an active member of an organized civil preparedness auxiliary fire company who has been authorized in writing by the chief executive officer of such department or company may use such a light, including a flashing blue light, while on the way to the scene of a fire or other emergency requiring his or her services. Such authorization may be revoked by such officer or his or her successor. The chief executive officer of each volunteer fire department or company or organized civil preparedness auxiliary fire company shall certify annually during the month of January, on forms provided by the commissioner, the names and addresses of members whom he or she has authorized to use a blue light as provided in this subsection. Such listing shall also designate the registration number on the number plate or plates of the vehicle on which the authorized blue light is to be used.<D]

[D]>(c) A flashing green light may not be used upon a motor vehicle, except that a vehicle being operated by an active member of a volunteer ambulance association or company who has been authorized in writing by the chief executive officer of such association or company may use such a light while on the way to the scene of an emergency requiring his or her services. Such authorization may be revoked by such officer or his or her successor. The chief executive officer of each volunteer ambulance association or company shall certify annually during the month of January, on forms provided by the commissioner, the names and addresses of members whom he or she has authorized to use a green light as provided in this subsection. Such listing shall also designate the registration number on the number plate or plates of the vehicle on which the authorized green light is to be used.<D]

[D]>(d) Use of lights except as authorized by this section shall be an infraction.<D]

[A]>(a) Except as provided in section 14-96q, as amended by this act, no person shall display upon any motor vehicle or equipment: (1) Any light visible from the front of such motor vehicle or equipment other than white, yellow or amber; (2) any light visible from the rear of such motor vehicle or equipment other than red, yellow, amber or white; or (3) any red light visible from directly in front of the center of such motor vehicle or equipment. Notwithstanding the provisions of this subsection, a taxicab shall display the dome light or lights required by regulations that have been adopted by the Commissioner of Transportation under the authority of section 13b-96.<A]

[A]>(b) Except as provided in section 14-96q, as amended by this act, flashing lights are prohibited on motor vehicles, except: (1) Red and yellow lights when used for the purpose of receiving or discharging

students on school buses; (2) white lights that are located on the top rear of school buses; (3) when such lights are used as a means for indicating a right or left turn; or (4) when such lights are used in any manner to indicate (A) a disabled vehicle that is stopped in a hazardous location on the highway, or in close proximity thereto, (B) a motor vehicle that is unable to maintain the minimum speed of forty miles per hour on a limited access divided highway because of the grade of such highway, (C) a motor vehicle that is operating at such slow speed as to obstruct or endanger following traffic on any highway, or (D) a student transportation vehicle, as defined in section 14-212, accommodating fifteen or fewer students with disabilities that is receiving or discharging such students. For the purpose of this subsection, the term "students with disabilities" means students who have intellectual disability, autism spectrum disorder, mental disability, visual impairment, blindness, hearing impairment, deafness, speech impairment, orthopedic impairment or another health impairment who, by reason thereof, require special education and related services.<A]

[A>(c) Any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps or auxiliary driving lamps, that projects a beam of light of an intensity greater than three hundred candle power shall be so directed that no part of the beam strikes the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.<A]

[A>(d) Use of lights except as authorized by this section shall be an infraction.<A]

Sec. 214. Section 14-96q of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

[D>(a) Any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps or auxiliary driving lamps, which projects a beam of light of an intensity greater than three hundred candle power shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.<D]

[D>(b) No person shall drive or move any vehicle or equipment upon any highway with any lamp or device thereon displaying a red light visible from directly in front of the center thereof. The provisions of this subsection and subsection (c) shall not apply to authorized emergency and maintenance vehicles.<D]

[D>(c) Flashing lights are prohibited on motor vehicles other than school buses, except (1) as a means for indicating a right or left turn, (2) flashing blue lights used by members of volunteer or civil preparedness fire companies, as provided by subsection (b) of section 14-96p, (3) on certain emergency and maintenance vehicles by special permit from the commissioner, (4) flashing or revolving yellow lights on (A) wreckers registered pursuant to section 14-66, or (B) vehicles of carriers in rural mail-delivery service or vehicles transporting or escorting any vehicle or load or combinations of vehicles or vehicles and load which is or are either oversize or overweight, or both, and operated or traveling under a permit issued by the Commissioner of Transportation pursuant to section 14-270, (5) flashing red lights (A) on a motor vehicle accommodating fifteen or fewer handicapped students used only during the time such vehicle is stopped for the purpose of receiving or discharging such handicapped students,

(B) used by members of the fire police on a stationary vehicle as a warning signal during traffic directing operations at the scene of a fire, (C) on rescue vehicles, (D) used by chief executive officers of emergency medical service organizations as provided in subsection (a) of section 14-96p, (E) ambulances, as defined in section 19a-175, or (F) used by local fire marshals or directors of emergency management, (6) flashing green lights used by members of volunteer ambulance associations or companies as provided in subsection (c) of section 14-96p, or (7) flashing white lights or flashing lights of other colors specified by federal requirements for the manufacture of an ambulance used in conjunction with flashing red lights or flashing head lamps and a flashing amber light on an ambulance responding to an emergency call. The prohibitions in this section shall not prevent the operator of a motor vehicle who while traveling on a limited access divided highway, because of the grade, is unable to maintain the minimum speed of forty miles per hour, or who while traveling on any other highway is operating such motor vehicle at such slow speed as to obstruct or endanger following traffic, or the operator of a disabled vehicle stopped on a hazardous location on the highway, or in close proximity thereto, from flashing lights, installed on the vehicle primarily for other purposes, in any manner that the operator selects so as to indicate that such vehicle is traveling slowly, obstructing traffic or is disabled and is a hazard to be avoided. The commissioner is authorized, at such commissioner's discretion, to issue special permits for the use of flashing or revolving lights on emergency vehicles, on escort vehicles, on maintenance vehicles and on other vehicles that display lights for which a permit is required, in accordance with the provisions of subsection (a) of section 14-96p, provided any person, firm or corporation other than the state or any metropolitan district, town, city or borough shall pay an annual permit fee for each such vehicle, provided vehicles not registered in this state used for transporting or escorting any vehicle or load or combinations of vehicles or vehicles and load which is or are either oversize or overweight, or both, when operating under a permit issued by the Commissioner of Transportation pursuant to section 14-270, shall not require such permit. Such annual permit fee shall be twenty dollars. If the commissioner issues a special permit to any ambulance, such permit shall be issued at the time of registration and of each renewal of registration.<D]

[D]>(d) Use of lamps and flashing lights except as authorized by this section shall be an infraction.<D]

[A]>(a) A permit is required for the use of colored or flashing lights on all motor vehicles or equipment specified in this section except: (1) Motor vehicles not registered in this state used for transporting or escorting any vehicle or load, or combinations thereof, which is either oversize or overweight, or both, when operating under a permit issued by the Commissioner of Transportation pursuant to section 14-270; or (2) motor vehicles or equipment that are (A) equipped with lights in accordance with this section, (B) owned or leased by the federal government, the state of Connecticut, or any other state, commonwealth or local municipality, and (C) registered to such governmental entity. When used in this section the term "flashing" shall be considered to include the term "revolving".<A]

[A]>(b) The Commissioner of Motor Vehicles, or such other person specifically identified in this section, is authorized to issue permits for the use of colored or flashing lights on vehicles in accordance with this section, at the commissioner's or such person's discretion. Any person, firm or corporation other than the state or any metropolitan district, town, city or borough shall pay an annual permit fee of twenty dollars to

the commissioner for each such vehicle. Such fee shall apply only to permits issued by the commissioner.<A]

[A>(c) A blue light or lights, including flashing blue lights, may be used on a motor vehicle operated by an active member of a volunteer fire department or company or an active member of an organized civil preparedness auxiliary fire company who has been issued a permit by the chief executive officer of such department or company to use such a light while on the way to or at the scene of a fire or other emergency requiring such member's services. Such permit shall be on a form provided by the commissioner and may be revoked by such chief executive officer or successor. The chief executive officer of each volunteer fire department or company or organized civil preparedness auxiliary fire company shall keep on file the forms provided by the commissioner, the names and addresses of members who have been authorized to use flashing blue lights as provided in this subsection. Such listing shall also designate the registration number of the motor vehicle on which authorized flashing blue lights are to be used.<A]

[A>(d) A green light or lights, including flashing green lights, may be used on a motor vehicle operated by an active member of a volunteer ambulance association or company who has been issued a permit by the chief executive officer of such association or company to use such a light, while on the way to or at the scene of an emergency requiring such member's services. Such permit shall be on a form provided by the commissioner and may be revoked by such chief executive officer or successor. The chief executive officer of each volunteer ambulance association or company shall keep on file on forms provided by the commissioner, the names and addresses of members who have been authorized to use flashing green lights as provided in this subsection. Such listing shall also designate the registration number of the vehicle on which the authorized flashing green lights are to be used.<A]

[A>(e) The commissioner may issue a permit for a red light or lights, including flashing red lights, which may be used on a motor vehicle or equipment (1) used by paid fire chiefs and their deputies and assistants, up to a total of five individuals per department, (2) used by volunteer fire chiefs and their deputies and assistants, up to a total of five individuals per department, (3) used by members of the fire police on a stationary vehicle as a warning signal during traffic directing operations at the scene of a fire or emergency, (4) used by chief executive officers of emergency medical service organizations, as defined in section 19a-175, the first or second deputies, or if there are no deputies, the first or second assistants, of such an organization that is a municipal or volunteer or licensed organization, (5) used by local fire marshals, or (6) used by directors of emergency management.<A]

[A>(f) The commissioner may issue a permit for a yellow or amber light or lights, including flashing yellow or amber lights, which may be used on motor vehicles or equipment that are (1) specified in subsection (e) of this section, (2) maintenance vehicles as defined in section 14-1, or (3) vehicles transporting or escorting any vehicle or load or combinations thereof, which is or are either oversize or overweight, or both, and being operated or traveling under a permit issued by the Commissioner of Transportation pursuant to section 14-270. A yellow or amber light or lights, including flashing yellow or amber lights, may be used without obtaining a permit from the Commissioner of Motor Vehicles on

wreckers registered pursuant to section 14-66, or on vehicles of carriers in rural mail delivery service.<A]

[A>(g) The Commissioner of Motor Vehicles may issue a permit for a white light or lights, including flashing white lights, which may be used on a motor vehicle or equipment as specified in subdivision (1), (2), (4), (5) or (6) of subsection (e) of this section. A vehicle being operated by a member of a volunteer fire department or company or a volunteer emergency medical technician may use flashing white head lamps, provided such member or emergency medical technician is on the way to the scene of a fire or medical emergency and has received written authorization from the chief law enforcement officer of the municipality to use such head lamps. Such head lamps shall only be used within the municipality granting such authorization or from a personal residence or place of employment, if located in an adjoining municipality. Such authorization may be revoked for use of such head lamps in violation of this subdivision. For the purposes of this subsection, the term "flashing white lights" shall not include the simultaneous flashing of head lamps.<A]

[A>(h) The commissioner may issue a permit for emergency vehicles, as defined in subsection (a) of section 14-283, to use a blue, red, yellow, or white light or lights, including flashing lights or any combination thereof.<A]

[A>(i) The commissioner may issue a permit for ambulances, as defined in section 19a-175, which may, in addition to the flashing lights allowed in subsection (h) of this section, use flashing lights of other colors specified by federal requirements for the manufacture of an ambulance. If the commissioner issues a permit for any ambulance, such permit shall be issued at the time of registration and upon each renewal of such registration.<A]

[A>(j) Use of colored and flashing lights except as authorized by this section shall be an infraction.<A]

Sec. 215. Subsection (f) of section 14-112 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(f) Any operator or any registrant whose operator's license or certificate of registration has been suspended as herein provided or whose policy of liability insurance or surety bond has been cancelled or who fails to furnish additional evidence of financial responsibility upon request of the commissioner, shall

immediately return to the commissioner

[D>his operator's license or<D]

[A>such operator's<A]

certificate of registration and the number plate or plates issued thereunder. [D>If any person fails to return to the commissioner the operator's license or certificate of registration and the number plate or plates issued thereunder as provided herein, the commissioner shall forthwith direct any motor vehicle inspector, state policeman or other police officer to secure possession thereof and to return the same to the office of the commissioner.<D] Failure to return such[D>operator's license or such<D] certificate and such number plate or plates shall be an infraction.

Sec. 216. Section 14-178 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) If a certificate of title is lost, stolen, mutilated or destroyed or becomes illegible, the first lienholder or, if none, the owner or legal representative of the owner named in the certificate, as shown by the records of the commissioner, shall promptly make application for and may obtain a replacement upon furnishing information, including personal identification acceptable and satisfactory to the commissioner. The replacement certificate of title shall contain the legend "This

is a replacement

[D>certificate<D]

[A>title<A] and may be subject to the rights of a person

under the original certificate. " Except as provided in subsection (b) of section 14-175, the commissioner shall present or mail the replacement certificate to the first lienholder named in the replacement certificate or, if none, to the owner.

[D>(b) The commissioner shall not issue a new certificate of title to a transferee upon application made on a replacement until fifteen days after receipt of the application.<D]

[D>(c)<D]

[A>(b)<A] A person recovering an original certificate of title for which a

replacement has been issued shall promptly surrender the original certificate to the commissioner.

Sec. 217. Section 14-293b of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

[A>(a)<A] [D>The Commissioner of Motor Vehicles shall adopt regulations in accordance with the provisions of chapter 54 specifying the responsibilities of an operator

of a vehicle when<D]

[A>When an operator of a motor vehicle is<A] approaching a person

riding a horse on a public highway, [D>which responsibilities shall include, but not

be limited to, the obligation to<D]

[A>such operator shall<A] reduce speed appropriately

or [D>to<D] stop, if necessary, to avoid endangering the equestrian or frightening or striking the horse.

[A>(b) No operator of a motor vehicle in the vicinity of an equestrian and horse may blow a horn or cause loud or unusual noises, in a manner to startle or frighten the horse.<A]

[A>(c)<A] A statement concerning such responsibilities shall be [D>printed in the<D] [A>included in the agency's<A] instruction manual for motor vehicle operation [A>.<A] [D>at the time of the next revision of such manual.<D]

Sec. 218. Section 14-300g of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The traffic authority of any city, town or borough is authorized to permit the operation of golf carts, during daylight hours only, on any street or highway within the limits of, and under the jurisdiction of, such traffic authority, provided: (1) Each such golf cart shall be equipped with an operable horn in accordance with the requirements of subsection (e) of section 14-80; (2) each such golf cart shall be equipped with a flag that is positioned to assist operators of motor vehicles in observing the location and operation of such golf cart; (3) no such authorization shall be granted for operation on any street or highway the posted speed limit of which is more than twenty-five miles per hour; and (4) the operator of any such golf cart shall carry a valid [D>Connecticut<D] motor vehicle operator's license while operating such golf cart. Any person who operates a golf cart in violation of any provision of this subsection, any insurance requirement established in accordance with subsection (b) of this section, or any other conditions or limitations established by the traffic authority for the operation of golf carts shall have committed an infraction.

(b) The Commissioner of Motor Vehicles may establish, by regulations adopted in accordance with the provisions of chapter 54, insurance requirements for the operation of golf carts in accordance with subsection (a) of this section.

Sec. 219. (Effective from passage) (a) The Commissioner of Motor Vehicles shall conduct a review of the department's issuance of limited operator's licenses pursuant to subdivision (4) of subsection (e) of section 14-36 of the general statutes. Such review shall include, but need not be limited to, consideration of the criteria used by the department to issue or renew limited licenses, compilation of data regarding the driving records of persons with limited licenses, and consideration of whether the limitations imposed ensure the safety of the public, while recognizing the needs of the limited license holders.

(b) Not later than February 1, 2016, the commissioner shall report on the results of the review required pursuant to subsection (a) of this section, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to transportation. Such report shall provide information about the issuance of limited licenses,

data on driving records of holders of limited licenses, and recommendations, if any, for administrative or legislative changes to the process of issuing limited licenses.

Sec. 220. Section 14-36g of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) Each person who holds a motor vehicle operator's license issued on and after August 1, 2008, and who is sixteen or seventeen years of age shall comply with the following requirements:

(1) Except as provided in subsection (b) of this section, for the period of six months after the date of issuance of such license, such person shall not transport more than (A) such person's parents or legal guardian, at least one of whom holds a motor vehicle operator's license, or (B) one passenger who is a driving instructor licensed by the Department of Motor Vehicles, or a person twenty years of age or older who has been licensed to operate, for at least four years preceding the time of being transported, a motor vehicle of the same class as the motor vehicle being operated and who has not had his or her motor vehicle operator's license suspended by the commissioner during such four-year period;

(2) Except as provided in subsection (b) of this section, for the period beginning six months after the date of issuance of such license and ending one year after the date of issuance of such license, such person shall not transport any passenger other than as permitted under subdivision (1) of this subsection and any additional member or members of such person's immediate family;

(3) No such person shall operate any motor vehicle for which a public passenger endorsement, as defined in section 14-1, is required in accordance with the provisions of section 14-44 or a vanpool vehicle, as defined in section 14-1;

(4) No such person shall transport more passengers in a motor vehicle than the number of seat safety belts permanently installed in such motor vehicle;

(5) No such person issued a motorcycle endorsement shall transport any passenger on a motorcycle for a period of six months after the date of issuance; and

(6) Except as provided in subsection (b) of this section, no such person shall operate a motor vehicle on any highway, as defined in section 14-1, at or after 11: 00 p. m. until and including 5: 00 a. m. of the following day unless (A) such person is traveling for his or her employment or school or religious activities, or (B) there is a medical necessity for such travel.

(b) A person who holds a motor vehicle operator's license and who is sixteen or seventeen years of age shall not be subject to the restrictions on the number or type of passengers specified in subdivision (1) or (2) of subsection (a) of this section, or to the restrictions specified in subdivision (6) of said subsection (a), if such person is: An active member of a volunteer fire company or department, a volunteer ambulance service or company or an emergency medical service organization and such person is responding to [A>, or returning from,<A] an emergency or is carrying out such person's duties as such active member; or an assigned driver in a Safe Ride program sponsored by the American Red Cross,

the Boy Scouts of America or other national public service organization.

(c) The Commissioner of Motor Vehicles may adopt regulations, in accordance with chapter 54, to implement the provisions of subsection (a) of this section. Such regulations may provide exceptions to the provisions of subdivision (1) of subsection (a) of this section for a single parent under the age of eighteen for the purposes of transporting the child of such parent to day care, child care and education facilities, medical appointments, and for such other purposes as may be determined by the commissioner.

(d) Any person who violates any provision of subsection (a) of this section shall be deemed to have committed an infraction. The Commissioner of Motor Vehicles shall suspend the motor vehicle operator's license of any person who violates the provisions of subsection (a) of this section for a period of thirty days for a first violation, and for a period of six months or until such person attains the age of eighteen years, whichever is longer, for a second violation.

(e) Notwithstanding the provisions of this section, the provisions of this section in effect July 31, 2008, shall be applicable to any person who is sixteen or seventeen years of age and who has been issued a motor vehicle operator's license prior to August 1, 2008.

Sec. 221. (Effective from passage) The Commissioner of Motor Vehicles shall study the feasibility of establishing a lottery program based on license plate numbers and permitting the sale of license plate numbers through an auction conducted on the Department of Motor Vehicle's Internet web site. The commissioner shall identify and assess options for conducting such lottery and sales and the associated costs and benefits. Not later than January 1, 2017, the commissioner shall submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to transportation and finance, revenue and bonding, concerning the commissioner's findings and recommendations.

Sec. 222. Subsection (a) of section 14-37a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) Any person whose operator's license has been suspended pursuant to any provision of this chapter or chapter 248, except pursuant to section 14-215 for operating under suspension or pursuant to section 14-140 for failure to appear for any scheduled court appearance, and any person identified in subsection (g) of this section may make application to the Commissioner of Motor Vehicles for (1) a special "work" permit to operate a motor vehicle to and from such person's place of employment or, if such person is not employed at a fixed location, to operate a motor vehicle only in connection with, and to the extent necessary, to properly perform such person's business or profession, [D>or<D] (2) a special "education" permit to operate a motor vehicle to and from an institution of higher education or a private occupational school, as defined in section 10a-22a, in which such person

is enrolled

[A>, <A]

[D>. No<D]

[A>provided no<A] such special "education" permit shall be

issued to any student enrolled in a high school under the jurisdiction of a local or regional board of education, a high school under the jurisdiction of a regional educational service center, a charter school, a regional agricultural science and technology education center or a technical high school [A>, or (3) a special "medical" permit to operate a motor vehicle to and from any ongoing medically necessary treatment, available upon adoption by the commissioner of regulations pursuant to chapter 54, that describe qualifications for such permit<A] . Such application shall be accompanied by an application fee of one hundred dollars.

Sec. 223. Subsection (c) of section 14-37a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(c) A special operator's permit issued pursuant to this section shall be of a distinctive format and shall include the expiration date and the legend "work only" or "education only" [A>or, upon adoption of the regulations as provided in subsection (a) of this section, "medical only"<A] .

Sec. 224. Section 14-253a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) For the purposes of this section:

(1) "Special license plate" means a license plate displaying the international symbol of access in a size identical to that of the letters or numerals on the plate and in a color that contrasts with the background color of the plate;

(2) "Removable windshield placard" means a two-sided, hanger-style placard which bears on both of its sides: (A) The international symbol of access in a height of three inches or more centered on such placard and colored white on a blue background; (B) a unique identification number; (C) a date of expiration; and (D) a statement indicating that the Connecticut Department of Motor Vehicles issued such placard;

(3) "Temporary removable windshield placard" means a placard that is the same as a removable windshield placard except that the international symbol of access appears on a red background; and

(4) "Person with disabilities" means a person with disabilities which limit or impair the ability to walk, as defined in 23 CFR Section 1235. 2.

(b) The Commissioner of Motor Vehicles shall accept applications and renewal applications for removable windshield placards from (1) any person who is blind, as defined in section 1-1f; (2) any person with disabilities; (3) any parent or guardian of any person who is blind or any person with disabilities, if such person is under eighteen years of age at the time of application; (4) any parent or guardian of any person who is blind or any person with disabilities, if such person is unable to request or

complete an application; and (5) any organization which meets criteria established by the commissioner and which certifies to the commissioner's satisfaction that the vehicle for which a placard is requested is primarily used to transport persons who are blind or persons with disabilities. Except as provided in subsection (c) of this section, on and after October 1, 2011, the commissioner shall not accept applications for special license plates, but shall accept renewal applications for such plates that were issued prior to October 1, 2011. No person shall be issued a placard in accordance with this section unless such person is the holder of a valid motor vehicle operator's license, or identification card issued in accordance with the provisions of section 1-1h. The commissioner is authorized to adopt regulations for the issuance of placards to persons who, by reason of hardship, do not hold or cannot obtain an operator's license or identification card. The commissioner shall maintain a record of each placard issued to any such person. Such applications and renewal applications shall be on a form prescribed by the commissioner. In the case of persons with disabilities, the application and renewal application shall include: (A) Certification by a licensed physician, a physician assistant, or an advanced practice registered nurse licensed in accordance with the provisions of chapter 378, that the applicant is disabled; (B) certification by a licensed physician, a physician assistant, an advanced practice registered nurse licensed in accordance with the provisions of chapter 378, or a member of the driver training unit for persons with disabilities established pursuant to section 14-11b, that the applicant meets the definition of a person with a disability which limits or impairs the ability to walk, as defined in 23 CFR Section 1235. 2. In the case of persons who are blind, the application or renewal application shall include certification of legal blindness made by the Department of Rehabilitation Services, an ophthalmologist or an optometrist. Any person who makes a certification required by this subsection shall sign the application or renewal application under penalty of false statement pursuant to section 53a-157b. The commissioner, in said commissioner's discretion, may accept the discharge papers of a disabled veteran, as defined in section 14-254, in lieu of such certification. The Commissioner of Motor Vehicles may require additional certification at the time of the original application or at any time thereafter. If a person who has been requested to submit additional certification fails to do so within thirty days of the request, or if such additional certification is deemed by the Commissioner of Motor Vehicles to be unfavorable to the applicant, the commissioner may refuse to issue or, if already issued, suspend or revoke such special license plate or placard. The commissioner shall not issue more than one placard per applicant. The fee for the issuance of a temporary removable windshield placard shall be five dollars. Any person whose application has been denied or whose special license plate or placard has been suspended or revoked shall be afforded an opportunity for a hearing in accordance with the provisions of chapter 54.

(c) Any person who meets the requirements to obtain a removable windshield placard pursuant to subsection (b) of this section and who has a motorcycle registered in such person's name shall be issued, upon approval of the application, number plates in accordance with the provisions of subsection (a) of section 14-21b, which shall bear letters or numerals or any combination thereof followed by the international access symbol. The registration of any motorcycle for which a special license plate is issued shall expire and be renewed as provided in section 14-22 and be subject to the fee provisions of section 14-49. No person shall be issued such number plates for the registration of more than two

motorcycles. Any person eligible to obtain a special license plate pursuant to this section who transfers the expired registration of a motorcycle owned by such person and replaces such number plate with a special license plate shall be exempt from payment of any fee for such transfer or replacement. A person who obtains a special plate or plates under this subsection may also obtain a removable windshield placard in accordance with subsection (b) of this section.

(d) Any placard issued pursuant to this section shall be displayed by hanging it from the front windshield rearview mirror of the vehicle when utilizing a parking space reserved for persons who are blind and persons with disabilities. If there is no rearview mirror in such vehicle, the placard shall be displayed in clear view on the dashboard of such vehicle.

(e) Vehicles displaying a special license plate or a placard issued pursuant to this section or by authorities of other states or countries for the purpose of identifying vehicles permitted to utilize parking spaces reserved for persons who are blind and persons with disabilities, shall be allowed to park in an area where parking is legally permissible, for an unlimited period of time without penalty, notwithstanding the period of time indicated as lawful by any (1) parking meter, or (2) sign erected and maintained in accordance with the provisions of chapter 249, provided the operator of or a passenger in such motor vehicle is a person who is blind or a person with disabilities. A placard shall not be displayed on any motor vehicle when such vehicle is not being operated by or carrying as a passenger a person who is blind or a person with disabilities to whom the placard was issued. Vehicles bearing a special license plate shall not utilize parking spaces reserved for persons who are blind and persons with disabilities when such vehicles are not being operated by or carrying as a passenger a person who is blind or a person with disabilities to whom such special license plate was issued.

(f) Only those motor vehicles displaying a plate or placard issued pursuant to this section shall be authorized to park in public or private areas reserved for exclusive use by persons who are blind or persons with disabilities, except that any ambulance, as defined in section 19a-175, which is transporting a patient may park in such area for a period not to exceed fifteen minutes while assisting such patient. Any motor vehicle parked in violation of the provisions of this subsection for the third or subsequent time shall be subject to being towed from such designated area. Such vehicle shall be impounded until payment of any fines incurred is received. No person, firm or corporation engaged in the business of leasing or renting motor vehicles without drivers in this state may be held liable for any acts of the lessee constituting a violation of the provisions of this subsection. Any municipal police officer who observes a motor vehicle parked in violation of this subsection shall issue a written warning or a summons for such violation.

(g) The Office of the State Traffic Administration, on any state highway, or local traffic authority, on any highway or street under its control, shall establish parking spaces in parking areas for twenty or more cars in which parking shall be prohibited to all motor vehicles except vehicles displaying a special license plate or a placard issued pursuant to this section. Parking spaces in which parking shall be prohibited to all motor vehicles except vehicles displaying such special plate or placard shall be established in private parking areas for two hundred or more cars according to the following schedule:

Total Number Number of Special
Of Parking Lot Spaces Parking Spaces Required

0 - 200 Exempt

201 - 1000 1. 0%

1001 - 2000 10 plus 0. 8% of spaces

over 1000

2001 - 3000 18 plus 0. 6% of spaces

over 2000

3001 - 4000 24 plus 0. 4% of spaces

over 3000

4001 or more 28 plus 0. 2% of spaces

over 4000

All such spaces shall be designated as reserved for exclusive use by persons who are blind and persons with disabilities and identified by the use of signs in accordance with subsection (h) of this section. Such parking spaces shall be adjacent to curb cuts or other unobstructed methods permitting sidewalk access to a person who is blind or a person with disabilities and shall be fifteen feet wide, including three feet of cross hatch, or be parallel to a sidewalk. The provisions of this subsection shall not apply (1) in the event the State Building Code imposes more stringent requirements as to the size of the private parking area in which special parking spaces are required or as to the number of special parking spaces required, or (2) in the event a municipal ordinance imposes more stringent requirements as to the size of existing private parking areas in which special parking spaces are required or as to the number of special parking spaces required.

(h) Parking spaces designated for persons who are blind and persons with disabilities on or after October 1, 1979, and prior to October 1, 2004, shall be as near as possible to a building entrance or walkway and shall be fifteen feet wide including three feet of cross hatch, or parallel to a sidewalk on a public highway. On and after October 1, 2004, parking spaces for passenger motor vehicles designated for persons who are blind and persons with disabilities shall be as near as possible to a building entrance or walkway and shall be fifteen feet wide including five feet of cross hatch. On and after October 1, 2004, parking spaces for passenger vans designated for persons who are blind and persons with disabilities shall be as near as possible to a building entrance or walkway and shall be sixteen feet wide including eight feet of cross hatch. Such spaces shall be designated by above grade signs with white lettering against a blue background and shall bear the words "handicapped parking permit

required" and "violators will be fined". Such sign shall also bear the international symbol of access. When such a sign is replaced, repaired or erected it shall indicate the minimum fine for a violation of subsection (f) of this section. Such indicator may be in the form of a notice affixed to such a sign.

(i) Any public parking garage or terminal, as defined in the State Building Code, constructed under a building permit application filed on or after October 1, 1985, and prior to October 1, 2004, shall have nine feet six inches' vertical clearance at a primary entrance and along the route to at least two parking spaces which conform with the requirements of subsection (h) of this section and which have nine feet six inches' vertical clearance unless an exemption has been granted pursuant to the provisions of subsection (b) of section 29-269. Each public parking garage or terminal, as defined in the State Building Code, constructed under a building permit application filed on or after October 1, 2004, shall have eight feet two inches' vertical clearance at a primary entrance and along the route to at least two parking spaces for passenger vans which conform with the requirements of subsection (h) of this section and which have eight feet two inches' vertical clearance unless an exemption has been granted pursuant to the provisions of subsection (b) of section 29-269.

(j) The commissioner may suspend or revoke any plate or placard issued pursuant to this section when, after affording the person to whom such plate or placard was issued an opportunity for a hearing in accordance with chapter 54, the commissioner or his representative determines that such person has used or permitted the use of such plate or placard in a manner which violates the provisions of this section.

(k) Nothing in this section may be construed to allow a person who is blind or a person with disabilities who is a bona fide resident of the state to park in a public or private area reserved for the exclusive use of persons who are blind and persons with disabilities as provided in this section if such person does not display upon or within his vehicle a plate or placard issued pursuant to this section.

(l) [A>(1)<A] Any person who violates any provision of this section for which a penalty or fine is not otherwise provided shall, for a first violation, be subject to a fine of one hundred fifty dollars, and for a subsequent violation, be subject to a fine of two hundred fifty dollars.

[A>(2) No owner or lessee of a private parking area subject to the requirements of this section, or an agent of such owner or lessee, shall dump, or allow any other person to dump, or otherwise place accumulated snow in a special parking space reserved as required in this section. Any owner, lessee or agent who violates the provisions of this subdivision shall, for a first violation, be subject to a fine of one hundred fifty dollars, and for a subsequent violation, be subject to a fine of two hundred fifty dollars.<A]

(m) Any placard or special license plate issued pursuant to this section shall be returned to the commissioner upon the subsequent change of residence to another state or death of the person to whom such placard or license plate was issued. Any person who uses a placard or a special license plate issued pursuant to this section after the death of the person to whom such placard or special license plate was issued shall be fined five hundred dollars.

(n) The commissioner shall develop a procedure for the renewal of existing placards. The procedure may be implemented over a period of several years. Any renewal of such placards shall require the issuance of a new placard in accordance with the provisions of this section.

(o) The commissioner shall periodically check the Department of Public Health's state registration of deaths and shall cancel any placard issued to an individual identified in such registry as deceased.

(p) The Commissioner of Motor Vehicles shall adopt regulations in accordance with the provisions of chapter 54, to carry out the provisions of this chapter and to establish a uniform system for the issuance, renewal and regulation of special license plates, removable windshield placards and temporary removable windshield placards. Such plates and placards shall be used only by persons to whom such plates and placards are issued.

Sec. 225. Section 14-325b of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) Each retail dealer as defined in section 14-318 that offers self-service and full-service facilities for the sale of gasoline or motor fuel shall provide, at a self-service pump, upon request, refueling service to a handicapped driver of a vehicle that bears a special international symbol of access license plate [A>or a removable windshield placard<A] issued pursuant to section 14-253a, at a price no greater than that which such dealer would charge the public to purchase gasoline or motor fuel without any refueling service.

(b) Each retail dealer that is required to provide refueling service to a handicapped driver pursuant to subsection (a) of this section shall publicly display and maintain on or near each self-service pump a clearly legible sign informing the public that such retail dealer will provide refueling service to such handicapped driver upon request. Such sign shall be displayed in a location and manner that is clearly visible to handicapped drivers and shall contain instructions indicating how a handicapped driver may contact or notify the retail dealer or cashier, if applicable, if the handicapped driver requires refueling service.

(c) The provisions of this section shall not apply to dealers that sell gasoline or motor fuel and that (1) have remotely controlled pumps, or (2) are operated by a single cashier.

Sec. 226. (NEW) (Effective from passage) Not later than January 1, 2016, and annually thereafter, each local and regional board of education shall review the transportation arrangements of their special needs students, both in and out of district, and make the appropriate changes to ensure the safe transportation of the students, which may involve placing school bus monitors or cameras on the vehicles used for such transportation.

Sec. 227. Subsection (b) of section 14-296aa of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(b) (1) Except as otherwise provided in this subsection and subsections (c) and (d) of this section, no

person shall operate a motor vehicle upon a highway, as defined in section 14-1, while using a hand-held mobile telephone to engage in a call or while using a mobile electronic device. An operator of a motor vehicle who types, sends or reads a text message with a hand-held mobile telephone or mobile electronic device while operating a motor vehicle shall be in violation of this section, except that if such operator is driving a commercial motor vehicle, as defined in section 14-1, such operator shall be charged with a violation of subsection (e) of this section.

(2) An operator of a motor vehicle who holds a hand-held mobile telephone to, or in the immediate proximity of, his or her ear while operating a motor vehicle is presumed to be engaging in a call within the meaning of this section. The presumption established by this subdivision is rebuttable by evidence tending to show that the operator was not engaged in a call.

(3) The provisions of this subsection shall not be construed as authorizing the seizure or forfeiture of a hand-held mobile telephone or a mobile electronic device, unless otherwise provided by law.

(4) Subdivision (1) of this subsection shall not apply to: (A) The use of a hand-held mobile telephone for the sole purpose of communicating with any of the following regarding an emergency situation: An emergency response operator; a hospital, physician's office or health clinic; an ambulance company; a fire department; or a police department, or (B) any of the following persons while in the performance of their official duties and within the scope of their employment: A peace officer, as defined in subdivision (9) of section 53a-3, a firefighter or an operator of an ambulance or authorized emergency vehicle, as defined in section 14-1, [D>or<D] a member of the armed forces of the United States, as defined in section 27-103, while operating a military vehicle, [A>or a sworn motor vehicle inspector acting under the authority of section 14-8,<A] or (C) the use of a hand-held radio by a person with an amateur radio station license issued by the Federal Communications Commission in emergency situations for emergency purposes only, or (D) the use of a hands-free mobile telephone.

Sec. 228. (NEW) (Effective from passage) (a) On and after January 1, 2016, the Commissioner of Motor Vehicles may issue, within available appropriations, Men's Health commemorative number plates of a design to enhance public awareness of efforts to treat and cure prostate cancer. The design shall be determined by agreement between the Commissioner of Public Health and the Commissioner of Motor Vehicles. No use shall be made of such plates except as official registration marker plates.

(b) A fee of sixty dollars shall be charged for Men's Health commemorative number plates, in addition to the regular fee or fees prescribed for the registration of a motor vehicle. Fifteen dollars of such fee shall be deposited in an account controlled by the Department of Motor Vehicles to be used for the cost of producing, issuing, renewing and replacing such number plates and forty-five dollars of such fee shall be deposited in the account established under subsection (d) of this section. No additional fee shall be charged in connection with the renewal of such number plates. No transfer fee shall be charged for transfer of an existing registration to or from a registration with Men's Health commemorative number plates. Such number plates shall have letters and numbers selected by the Commissioner of Motor Vehicles. The commissioner may establish a higher fee for: (1) Number plates that contain the numbers

and letters from a previously issued number plate; (2) number plates that contain letters in place of numbers, as authorized by section 14-49 of the general statutes, in addition to the fee or fees prescribed for registration under said section; and (3) number plates that are low number plates issued in accordance with section 14-160 of the general statutes, in addition to the fee or fees prescribed for registration under said section. All fees established and collected pursuant to this section, except moneys designated for administrative costs of the Department of Motor Vehicles, shall be deposited in the Men's Health account established under subsection (d) of this section.

(c) The Commissioner of Motor Vehicles, in consultation with the Commissioner of Public Health, may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to establish standards and procedures for the issuance, renewal and replacement of Men's Health commemorative number plates.

(d) There is established a Men's Health account which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account. The funds in the account shall be expended by the Department of Public Health to enhance public awareness of efforts to treat and cure prostate cancer and to support research into treatment for prostate cancer. The Commissioner of Public Health may receive private donations to the account and any such receipts shall be deposited in the account.

(e) The Commissioner of Motor Vehicles may provide for the reproduction and marketing of the Men's Health commemorative number plate image for use on clothing, recreational equipment, posters, mementoes or other products or programs deemed by the commissioner to be suitable as a means of supporting the Men's Health account established under subsection (d) of this section. Any moneys received by the commissioner from such marketing shall be deposited in said account.

Sec. 229. (NEW) (Effective from passage) (a) As used in this section:

(1) "Commissioner" means the Commissioner of Motor Vehicles;

(2) "Database" means the database supported by the Online Insurance Verification System;

(3) "Department" means the Department of Motor Vehicles;

(4) "Insurer" means an insurance company that is authorized to issue motor vehicle liability insurance policies in this state; and

(5) "System" means the Online Insurance Verification System.

(b) The department shall establish the Online Insurance Verification System for the purposes of (1) verifying that a motor vehicle owner or operator has procured and maintained the security coverage required pursuant to sections 14-112 and 38a-371 of the general statutes, (2) providing the commissioner and insurers with an effective method for complying with chapters 246, 248 and 700 of the general statutes, and (3) reducing the number of uninsured motor vehicles on the highways of the state.

The system shall be available, at all times and in the manner prescribed by the department, to allow state and local law enforcement agencies and any government agency authorized for system access by the commissioner to verify the security coverage of any motor vehicle.

(c) (1) The system shall include (A) the owner and vehicle information for all active registrations, provided by the department, and (B) a record of each motor vehicle insurance policy in effect, provided by each insurer in accordance with subdivision (2) of this subsection.

(2) Each insurer shall, each month on a date specified by the commissioner, submit to the department a record of each motor vehicle insurance policy in effect for vehicles registered or garaged in the state as of the date of such submission. Each insurer that issues commercial fleet policies may satisfy this requirement by providing the fleet policy number that covers the vehicles of its insured. The record provided by an insurer shall be in a format and contain the data as specified by the department. Such record shall be provided by electronic means or by another form approved by the department. An insurer may submit more frequent reports than once monthly, if it so chooses.

(3) With the information provided pursuant to this subsection, the department shall, at least monthly: (A) Update the database with the records provided by insurers pursuant to section 38a-343a of the general statutes, as amended by this act, and subdivision (2) of this subsection; (B) match the department information of owner and vehicle information for all active registrations with the records submitted by insurers; and (C) compare all current motor vehicle registrations against the records submitted by insurers.

(d) Each insurer shall be required to establish an online web service, accessible through the system, to verify the insurance of a vehicle in real time. At its discretion, the department may establish alternate methods for verifying commercial vehicle liability insurance policies or liability policies issued by insurers who write fewer than a threshold number of policies, as established by the commissioner in consultation with the Insurance Commissioner and insurers.

(e) The system shall (1) be capable of sending requests to insurers for verification of motor vehicle liability insurance, using online web services established by insurers as required pursuant to subsection (d) of this section, (2) allow state and local law enforcement agencies to access the database in real time, and (3) generate reports that may be useful for the implementation of the purposes of this section, as determined by the commissioner.

(f) The commissioner may enter into an agreement with a private third-party vendor to develop and maintain the system established pursuant to this section, under the direction and management of the department, provided such vendor has entered into an agreement to protect the confidentiality of the information and data contained within the system.

(g) (1) The Department of Motor Vehicles may use the information contained in the database for the administration and enforcement of chapters 246, 248 and 700 of the general statutes.

(2) All information contained in the database shall be treated as a motor vehicle record, as defined in

section 14-10 of the general statutes, and shall not be disclosed except as permitted under section 14-10 of the general statutes, and 18 USC 2721 et seq. , as amended from time to time.

(h) (1) An insurer shall not be liable to any person for information the insurer provides to the department or to a third-party vendor in compliance with this section, including information an insurer may provide or omit erroneously in good faith.

(2) The state, the department and a third-party vendor shall not be liable to any person for gathering, managing or using the information in the database, provided such actions are in compliance with this section.

Sec. 230. Section 14-12c of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

The commissioner may at any time require any owner of a private passenger motor vehicle or a vehicle with a commercial registration, as defined in section 14-1, to submit further information to verify the required security coverage within the time specified by the commissioner. If the commissioner is unable to verify the insurance information furnished, the commissioner shall, unless such registrant has been reported as cancelled in accordance with sections 38a-343, 38a-343a, [A>as amended by this act,<A] 14-12c [A>, as amended by this act,<A] and 14-12f to 14-12i, inclusive, afford such owner an opportunity for a hearing in accordance with chapter 54 to determine whether such owner's application for registration contains

a material false statement or whether

[D>he<D]

[A>such owner<A] has failed to continuously

maintain the security required under section 38a-371. If the commissioner finds

that

[D>the<D]

[A>such<A] owner did not have the required security in effect on the date of

registration, or that such owner presented a false or fraudulent insurance identification card to the commissioner, the application for registration shall be deemed to contain a material false statement. Any registration issued as a result of such application shall be void from the date of issue and the registration number plates shall be surrendered to the commissioner or the commissioner shall issue a notice of suspension of the registration in accordance with the provisions of section 14-12g. If the commissioner finds that the owner had the required security in effect at the time such application was submitted but failed to maintain it continuously during the registration period, the commissioner shall issue a notice of the suspension of the registration in accordance with the provisions of section 14-12g. [A>The commissioner may use information contained in the Online Insurance Verification System established in

accordance with section 229 of this act to verify or enforce security coverage requirements or impose sanctions in accordance with any provision in this chapter or chapter 700.<A]

Sec. 231. Subsection (a) of section 14-213b of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) No owner of any private passenger motor vehicle or a vehicle with a combination or commercial registration, as defined in section 14-1, registered or required to be registered in this state may operate or permit the operation of such vehicle without the security required by section 38a-371 or with security insufficient to meet the minimum requirements of said section, or without any other security requirements imposed by law, as the case may be. Failure of the operator to produce an insurance identification card as required by section 14-217 shall constitute prima facie evidence that the owner has not maintained the security required by section 38a-371 and this section. [A>A law enforcement officer may access the Online Insurance Verification System established in accordance with section 229 of this act to determine whether an owner or operator has the required security.<A]

Sec. 232. Section 38a-343a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a)

[D>Each<D]

[A>(1) The Commissioner of Motor Vehicles may require each<A] insurance company

[D>which<D]

[A>that<A] issues private passenger motor vehicle liability insurance

policies in this state [D>shall, each month, on a date specified by the commissioner,

notify the Commissioner of Motor Vehicles<D]

[A>to notify the commissioner monthly, on

a date specified by the commissioner,<A] of the cancellation by the insurance company of all such policies which occurred during the preceding month. [D>The notice

required<D]

[A>Such notice<A] shall include the name of the named insured in the policy,

the policy number, the vehicle identification number of each automobile covered by the policy and the

effective date of the policy's cancellation. The commissioner shall specify an acceptable method of notification. The method of notification specified may include computer tapes or electronic transmission.

[A>(2) The commissioner may require each insurance company that issues private passenger motor vehicle liability insurance policies in this state to provide monthly, on a date specified by the commissioner, the policy information required for purposes of the Online Insurance Verification System, as provided in section 229 of this act.<A]

[A>(3)<A] The failure of an insurance company to comply with the requirements of this section shall not affect the cancellation of any private passenger motor vehicle liability insurance policy.

(b) The Commissioner of Motor Vehicles shall receive or accept all notices of policy cancellation [A>or all policy information<A] from private passenger motor vehicle liability insurance companies, as required pursuant to subsection (a) of this section. The commissioner shall review and analyze the cancellation data [A>or

policy information<A] submitted, together with such other information as [D>he<D]
[A>the

commissioner<A] may obtain from the private passenger motor vehicle liability insurance companies, from the records of the Department of Motor Vehicles, or from any other public or private agency or firm in possession of relevant information, for the purpose of determining whether any registered owner identified in any such notice has failed to continuously maintain insurance coverage in violation of sections 14-12c [A>, as amended by this act,<A] and 38a-371. In conducting such an inquiry to determine insured status, the commissioner may contact registered vehicle owners by mail and require that such mail inquiries be answered in not less than thirty days, in a satisfactory manner containing such information and verification of insurance coverage as the commissioner shall deem necessary and acceptable.

Sec. 233. Subsection (a) of section 14-145 of the general statutes, as amended by section 1 of public act 15-42, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) (1) An owner or lessee of private property, or his or her agent, may remove or cause to be removed, or may use a wheel-locking device to render immovable, any motor vehicle left without authorization on such property in accordance with the provisions of this section and sections 14-145a to 14-145c, to sections 14-145a to 14-145c, inclusive, as amended

by

[D>this act<D]

[A>public act 15-42<A] , provided any owner or lessee of private

commercial property, or his or her agent, shall install conspicuous signage stating that motor vehicles left without authorization on such private commercial property may be removed or rendered immovable and indicating where such motor vehicle will be stored, how the vehicle may be redeemed and any costs or fees that may be charged.

[A>(2) Notwithstanding the provisions of subdivision (1) of this subsection, an owner or lessee of private commercial property or such owner or lessee's agent may tow any motor vehicle left without authorization on such property and no signage warning of such towing shall be required to be installed by such owner or lessee if such motor vehicle is left (A) in a space reserved, as required in section 14-253a, for exclusive use by persons who are blind and persons with disabilities and such vehicle does not bear a removable windshield placard or special license plate, as defined in section 14-253a, (B) in an area reserved for authorized emergency vehicles, (C) within ten feet of a fire hydrant, as provided in section 14-251, (D) blocking building access, (E) blocking entry or exit from such property, or (F) for forty-eight or more hours.<A]

[D>(2)<D]

[A>(3)<A] A lending institution may repossess any motor vehicle, in accordance

with the provisions of section 36a-785, as amended by

[D>this act<D]

[A>public act 15-42<A]

, by contracting with a wrecker licensed under section 14-66 or an entity exempt from such licensure, as provided in subsection (f) of section 14-66, to tow or otherwise remove such motor vehicle in accordance with the provisions of this section and sections 14-145a to 14-145c, to sections 14-145a to 14-145c, inclusive, as amended by [D>this act<D] [A>public act 15-42<A] . In the case of a repossession, no signage as described in subdivision (1) of this subsection shall be required.

[D>(3)<D]

[A>(4)<A] This section shall not apply to law enforcement, fire-fighting, rescue,

ambulance or emergency vehicles which are marked as such, or to motor vehicles left without authorization on property leased by any governmental agency.

Sec. 234. Subsection (a) of section 14-145a of the general statutes, as amended by section 2 of public act 15-42, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) No vehicle shall be towed or removed from private property [~~D~~or rendered immovable on private property through use of a wheel- locking device~~D~~] except (1) upon express instruction of the owner or lessee, or his or her agent, of the property upon which the vehicle is trespassing, or (2) for the purpose of repossession of the motor vehicle by a lending institution. [~~A~~No vehicle shall be rendered immovable on private property through the use of a wheel-locking device except upon express instruction of the owner or lessee, or his or her agent.~~A~~] Nothing in this subsection shall be construed to limit the right of a municipality or the state to remove an abandoned motor vehicle in accordance with the provisions of section 14-150.

Sec. 235. Subdivision (82) of section 12-412 of the general statutes, as amended by section 10 of public act 15-46, is repealed and the following is substituted in lieu thereof (Effective from passage):

(82) (A) The sale of and the storage, use or other consumption of any commercial motor vehicle, as defined in [~~A~~subparagraphs (A) and (B) of subdivision (15) of~~A~~] section 14-1, [~~D~~as amended by this act,~~D~~] that is operating pursuant to the provisions of section 13b-88 or 13b-89, during the period commencing upon its purchase and ending one year after the date of purchase, provided seventy-five per cent of its revenue from its days in service is derived from out-of-state trips or trips crossing state lines.

(B) Each purchaser of a commercial motor vehicle exempt from tax pursuant to the provisions of this subsection shall, in order to qualify for said exemption, present to the retailer a certificate, in such form as the commissioner may prescribe, certifying that seventy-five per cent of such vehicle's revenue from its days in service will be derived from out-of-state trips or trips crossing state lines. The purchaser of the motor vehicle shall be liable for the tax otherwise imposed if, during the period commencing upon its purchase and ending one year after the date of purchase, seventy-five per cent of the vehicle's revenue from its days in service is not derived from out-of-state trips or trips crossing state lines.

Sec. 236. Subsection (e) of section 14-36m of the general statutes, as amended by section 2 of public act 15-79, is repealed and the following is substituted in lieu thereof (Effective from passage):

(e) No motor vehicle operator's license issued pursuant to this section shall be used as identification for voting purposes [~~A~~.~~A~~] [~~D~~, and shall contain language on the

~~back of such license indicating that it cannot be used for voting purposes~~D~~~~
[~~A~~The

~~back of such license shall contain language indicating that it cannot be used for voting purposes~~A~~~~ . For any such license issued prior to July 1, 2016, the language required by this subsection shall be added upon renewal of such license.

Sec. 237. Subsection (c) of section 14-33 of the general statutes, as amended by section 1 of public act

14-19, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(c) On and after March 1, 1989, any municipality may participate in a program administered by the Commissioner of Motor Vehicles to facilitate the payment of fines for parking violations. If any such municipality elects to participate in such program, it shall provide for a notice of violation to be served personally upon the operator of a motor vehicle who is present at the time of service. If the operator is not present, the notice shall be served upon the owner of the motor vehicle by affixing notice to said vehicle in a conspicuous place [A>, or, in the case of the city of Hartford Parking Authority, by regular or certified mail to the registered owner of the vehicle, which shall have the same effect as if the notice of violation was personally served on the owner or operator of the vehicle<A] . In the case of any motor vehicle that is leased or rented by the owner, not more than thirty days after the initial notice of a parking violation for which a fine remains unpaid at such time, a second notice of violation shall be mailed to the address of record of the owner leasing or renting the motor vehicle to such operator. No fines or penalties shall accrue to the owner of such rented or leased vehicle for the violation for a period of sixty days after the second notice is mailed. Upon receipt of such notification, the owner of such rented or leased vehicle may notify the municipality as to whom the lessee was at the time of such issuance of the notice of violation, the lessee's address, motor vehicle operator's license number and state of issuance, and the municipality shall issue such notice of violation to such lessee. A participating municipality shall notify the commissioner of every owner of a registered motor vehicle who has unpaid fines for more than five parking violations committed within such municipality on and after March 1, 1989. Upon receipt of such notification, the commissioner shall not issue or renew the motor vehicle registration of such person until he receives notification from such municipality that the delinquent fines have been paid.

Sec. 238. (NEW) (Effective from passage and applicable to assessment years commencing on and after October 1, 2015) Notwithstanding any provision of chapter 201, 203 or 204 of the general statutes or any special act that provides an exemption from taxation of real or personal property held by or on behalf of a health system, as defined in section 19a-508c of the general statutes, the following real and personal property shall be taxable by a municipality in accordance with the provisions of chapters 201, 203 and 204 of the general statutes: (1) Real property that is acquired by a health system on or after October 1, 2015, that, at the time of such acquisition, is subject to taxation under the provisions of chapters 201, 203 and 204 of the general statutes, provided such acquiring health system had, for the fiscal year ending September 30, 2013, net patient revenue from facilities located within the state of one billion five hundred million dollars or more, and (2) any personal property incident to the rendering of health care services at the real property described in subdivision (1) of this section. The provisions of this section shall not apply to any real or personal property that is within a campus, as defined in subparagraph (A) of subdivision (2) of subsection (a) of section 19a-508c of the general statutes. All taxes on real and personal property imposed pursuant to this section shall be liabilities of, and paid by, the health system, and shall not be paid by a hospital or other entity affiliated with such health system.

Sec. 239. (Effective from passage) Notwithstanding any provision of the general statutes or any special act, charter or ordinance, all acts and proceedings of the officers and officials of a municipality pertaining to the treatment as taxable or not taxable, as the case may be, by the municipality of any real or

personal property held by, or held in trust for, a health system, as defined in section 19a-508c of the general statutes, on its October 1, 2014, grand list or earlier grand list, are validated and the municipality shall continue to treat such real or personal property as taxable or not taxable, as the case may be, in subsequent tax years.

Sec. 240. Section 12-65b of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) Any municipality may, by affirmative vote of its legislative body, enter into a written agreement with any party owning or proposing to acquire an interest in real property in such municipality, or with any party owning or proposing to acquire an interest in air space in such municipality, or with any party who is the lessee of, or who proposes to be the lessee of, air space in such municipality in such a manner that the air space leased or proposed to be leased shall be assessed to the lessee pursuant to section 12-64, fixing the assessment of the real property or air space which is the subject of the agreement, and all improvements thereon or therein and to be constructed thereon or therein, subject to the provisions of subsection (b) of this section, (1) for a period of not more than seven years, provided the cost of such improvements to be constructed is not less than three million dollars, (2) for a period of not more than two years, provided the cost of such improvements to be constructed is not less than five hundred thousand dollars, (3) to the extent of not more than fifty per cent of such increased assessment, for a period of not more than three years, provided the cost of such improvements to be constructed is not less than ten thousand dollars, or (4) for a period of years specified in an ordinance, for improvements to be constructed on land used or to be used for any retail business in an area designated in such ordinance. For purposes of this section, "improvements to be constructed" includes the rehabilitation of existing structures for retail business use.

(b) The provisions of subsection (a) of this section shall only apply if the improvements are for at least one of the following: (1) Office use; (2) retail use; (3) permanent residential use; (4) transient residential use; (5) manufacturing use; (6) warehouse, storage or distribution use; (7) structured multilevel parking use necessary in connection with a mass transit system; (8) information technology; (9) recreation facilities; (10) transportation facilities; ~~(11) mixed-use development, as defined in section 8-13m~~ [A]; or (12) use by or on behalf of a health system, as defined in section 19a-508c<A] .

Sec. 241. (NEW) (Effective from passage and applicable to assessment years commencing on and after October 1, 2015) Notwithstanding any provision of chapter 201, 203 or 204 of the general statutes or any special act, except subdivision (8) of section 12-81 of the general statutes, which provides an exemption from taxation of real or personal property held by or on behalf of a private nonprofit institution of higher learning, as defined in section 12-20a of the general statutes, any residential real property intended for use or used as student housing, except a dormitory, that is held by or on behalf of such entity, shall be taxable by a municipality in accordance with the provisions of chapters 201, 203 and 204 of the general statutes. For purposes of this subsection: (1) "Residential real property" means any house or building, or portion thereof, which is rented, leased or hired out to be occupied as a home or residence of one or more students, and (2) "dormitory" means a building containing living or sleeping

facilities consisting of twenty or more beds intended for use or used as student housing and maintained by a private nonprofit institution of higher learning, as defined in section 12-20a of the general statutes.

Sec. 242. (NEW) (Effective July 1, 2015) (a) As used in this section:

(1) "District heating system" means a thermal loop natural gas demand reduction system that is located in a designated area and is designed to capture an annual minimum of thirty million British thermal units of waste heat and transmits and distributes at least seventy-five per cent of such waste heat directly to the premises of end use customers that are located in such system's service area.

(2) "Gas company" has the same meaning as provided in section 16-1 of the general statutes.

(b) After the effective date of this section, each gas company shall develop an incentive program for district heating systems for the purpose of reducing natural gas demand in the state. As part of the conservation and load management plan, pursuant to section 16-245m of the general statutes, each gas company shall submit such program plan for approval to the Energy Conservation Management Board and the Department of Energy and Environmental Protection. Said board and department have discretion to jointly approve or disapprove such plan. Such program shall, on or after March 1, 2016, provide an incentive payment to end use customers who connect on or after March 1, 2016, to a district heating system for heating purposes. Such incentive payment shall be based on such customer's projected natural gas demand reduction for the period of time that such customer commits to utilize the services of such heating system. The projected natural gas demand reduction shall be based on such customer's weather-adjusted historical usage data from the previous three years. The amount of the incentive payment made to such end use customer shall not exceed the incentive payment made for equivalent natural gas demand reductions through the state's conservation and load management plan.

(c) An owner or operator of a district heating system may charge each end use customer a connection charge up to an amount equal to the incentive payment received by such end use customer.

(d) The Public Utilities Regulatory Authority shall ensure that the revenues required to fund such incentive payments made pursuant to this section are provided through a fully reconciling conservation adjustment mechanism, which shall not exceed more than nine million dollars in total for the program established under this section, provided (1) such revenues shall be in addition to the revenues authorized to fund the conservation and load management fund pursuant to section 16-245m of the general statutes, and (2) such revenues exceeding two million dollars required to fund such incentive payments shall be paid over a period of not less than two years. Such revenues shall only be collected from the gas customers of the company in whose service area such district heating system is located.

Sec. 243. (NEW) (Effective July 1, 2015) (a) The Commissioner of Education shall administer, within available appropriations and in consultation with the Commissioner of Children and Families, a surrogate parent program. The Commissioner of Children and Families shall select any foster child, as defined in section 17a-110 of the general statutes, who resides in the area identified as Region 3 by the Department of Children and Families for participation in the program, and the Commissioner of

Education shall appoint a surrogate parent for such child. The surrogate parent shall represent the foster child in the educational decision-making process, provided the parent or guardian of the foster child: (1) Agrees or fails to object to the appointment of a surrogate parent; (2) receives identical notices as the surrogate parent; and (3) may revoke the appointment of a surrogate parent at any time.

(b) Not later than January 1, 2016, and annually thereafter, the Commissioners of Education and Children and Families shall jointly submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to children and education on the surrogate parent program.

Sec. 244. Section 10-94f of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

As used in sections 10-94f to 10-94k, to sections 10-94f to 10-94k, inclusive [A>, and section 243 of this act<A] :

(1) "Surrogate parent" means the person appointed by the Commissioner of Education as a child's advocate in the educational decision-making process in place of the child's parents or guardian and such person shall be deemed to be an "other employee" for purposes of section 10-235;

(2) "The educational decision-making process" includes the identification, evaluation, placement, hearing, mediation and appeal procedures provided for in this chapter and the evaluation and planning procedures provided for in Section 504 of the Rehabilitation Act of 1973, as amended from time to time, which may be available to a child subsequent to the receipt of special education and related services pursuant to this chapter.

Sec. 245. Subsection (i) of section 10-217a of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(i) Notwithstanding the provisions of this section, for the fiscal years ending

June 30, 2008, to June 30,

[D>2015<D]

[A>2017<A] , inclusive, the amount of the grants

payable to local or regional boards of education in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for purposes of this section.

Sec. 246. Subsection (b) of section 10-281 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(b) Notwithstanding the provisions of this section, for the fiscal years ending

June 30, 2004, to June 30,

[D>2015<D]

[A>2017<A] , inclusive, the amount of the grants

payable to local or regional boards of education in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for purposes of this section.

Sec. 247. Subsection (d) of section 10-71 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(d) Notwithstanding the provisions of this section, for the fiscal years ending

June 30, 2004, to June 30,

[D>2015<D]

[A>2017<A] , inclusive, the amount of the grants

payable to towns, regional boards of education or regional educational service centers in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this section for such year.

Sec. 248. Subsection (e) of section 10-66j of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(e) Notwithstanding the provisions of this section, for the fiscal years ending

June 30, 2004, to June 30,

[D>2015<D]

[A>2017<A] , inclusive, the amount of grants payable

to regional educational service centers shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

Sec. 249. Subdivision (2) of subsection (e) of section 10-76d of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(2) For purposes of this subdivision, "public agency" includes the offices of a government of a federally recognized Native American tribe. Notwithstanding any other provisions of the general statutes, for the fiscal year ending June 30, 1987, and each fiscal year thereafter, whenever a public agency, other than a local or regional board of education, the State Board of Education or the Superior Court acting pursuant to section 10-76h, places a child in a foster home, group home, hospital, state institution, receiving home, custodial institution or any other residential or day treatment facility, and such child requires special education, the local or regional board of education under whose jurisdiction the child

would otherwise be attending school or, if no such board can be identified, the local or regional board of education of the town where the child is placed, shall provide the requisite special education and related services to such child in accordance with the provisions of this section. Within one business day of such a placement by the Department of Children and Families or offices of a government of a federally recognized Native American tribe, said department or offices shall orally notify the local or regional board of education responsible for providing special education and related services to such child of such placement. The department or offices shall provide written notification to such board of such placement within two business days of the placement. Such local or regional board of education shall convene a planning and placement team meeting for such child within thirty days of the placement and shall invite a representative of the Department of Children and Families or offices of a government of a federally recognized Native American tribe to participate in such meeting. (A) The local or regional board of education under whose jurisdiction such child would otherwise be attending school shall be financially responsible for the reasonable costs of such special education and related services in an amount equal to the lesser of one hundred per cent of the costs of such education or the average per pupil educational costs of such board of education for the prior fiscal year, determined in accordance with the provisions of subsection (a) of section 10-76f. The State Board of Education shall pay on a current basis, except as provided in subdivision (3) of this subsection, any costs in excess of such local or regional board's basic contributions paid by such board of education in accordance with the provisions of this subdivision. (B) Whenever a child is placed pursuant to this subdivision, on or after July 1, 1995, by the Department of Children and Families and the local or regional board of education under whose jurisdiction such child would otherwise be attending school cannot be identified, the local or regional board of education under whose jurisdiction the child attended school or in whose district the child resided at the time of removal from the home by said department shall be responsible for the reasonable costs of special education and related services provided to such child, for one calendar year or until the child is committed to the state pursuant to section 46b-129 or 46b-140 or is returned to the child's parent or guardian, whichever is earlier. If the child remains in such placement beyond one calendar year the Department of Children and Families shall be responsible for such costs. During the period the local or regional board of education is responsible for the reasonable cost of special education and related services pursuant to this subparagraph, the board shall be responsible for such costs in an amount equal to the lesser of one hundred per cent of the costs of such education and related services or the average per pupil educational costs of such board of education for the prior fiscal year, determined in accordance with the provisions of subsection (a) of section 10-76f. The State Board of Education shall pay on a current basis, except as provided in subdivision (3) of this subsection, any costs in excess of such local or regional board's basic contributions paid by such board of education in accordance with the provisions of this subdivision. The costs for services other than educational shall be paid by the state agency which placed the child. The provisions of this subdivision shall not apply to the school districts established within the Department of Children and Families, pursuant to section 17a-37 or the Department of Correction, pursuant to section 18-99a, provided in any case in which special education is being provided at a private residential institution, including the residential components of regional educational service centers, to a child for whom no local or regional board of education can be found responsible under subsection (b) of this section, Unified School District #2 shall provide the special education and related

services and be financially responsible for the reasonable costs of such special education instruction for such children. Notwithstanding the provisions of this subdivision, for the fiscal years ending June 30, 2004, to June 30, 2007,

inclusive, and for the fiscal years ending June 30, 2010, to June 30,

[D>2015<D]

[A> 2017<A]

, inclusive, the amount of the grants payable to local or regional boards of education in accordance with this subdivision shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this subdivision for such year.

Sec. 250. Subsection (d) of section 10-76g of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(d) Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, 2007, inclusive, and for the fiscal years ending June

30, 2010, to June 30,

[D>2015<D]

[A>2017<A] , inclusive, the amount of the grants payable to

local or regional boards of education in accordance with this section, except grants paid in accordance with subdivision (2) of subsection (a) of this section, for the fiscal years ending June 30, 2006, and June 30, 2007, and for the fiscal

years ending June 30, 2010, to June 30,

[D>2015<D]

[A>2017<A] , inclusive, shall be reduced

proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this section for such year.

Sec. 251. Subsection (b) of section 10-253 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(b) The board of education of the school district under whose jurisdiction a child would otherwise be attending school shall be financially responsible for the reasonable costs of education for a child placed out by the Commissioner of Children and Families or by other agencies, including, but not limited to, offices of a government of a federally recognized Native American tribe, in a private residential facility when such child requires educational services other than special education services. Such financial responsibility shall be the lesser of one hundred per cent of the costs of such education or the average per pupil educational costs of such board of education for the prior fiscal year, determined in accordance

with subsection (a) of section 10-76f. Any costs in excess of the board's basic contribution shall be paid by the State Board of Education on a current basis. The costs for services other than educational shall be paid by the state agency which placed the child. Application for the grant to be paid by the state for costs in excess of the local or regional board of education's basic contribution shall be made in accordance with the provisions of subdivision (5) of subsection (e) of section 10-76d. Notwithstanding the provisions of this subsection, for the fiscal years ending June 30, 2004, to June 30, 2007,

inclusive, and for the fiscal years ending June 30, 2010, to June 30,

[D>2015<D]

[A> 2017<A]

, inclusive, the amount of the grants payable to local or regional boards of education in accordance with this subsection shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this subsection for such year.

Sec. 252. Subdivision (4) of subsection (a) of section 10-266m of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(4) Notwithstanding the provisions of this section, for the fiscal years ending

June 30, 2004, to June 30,

[D>2015<D]

[A>2017<A] , inclusive, the amount of transportation

grants payable to local or regional boards of education shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

Sec. 253. Subsection (a) of section 10-65 of the general statutes, as amended by section 8 of public act 15-215, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) Each local or regional school district operating an agricultural science and technology education center approved by the State Board of Education for program, educational need, location and area to be served shall be eligible for the following grants: (1) In accordance with the provisions of chapter 173, through progress payments in accordance with the provisions of section 10-287i, (A) for projects for which an application was filed prior to July 1, 2011, ninety-five per cent, and (B) for projects for which an application was filed on or after July 1, 2011, eighty per cent of the net eligible costs of constructing, acquiring, renovating and equipping approved facilities to be used exclusively for such agricultural science and technology education center, for the expansion or improvement of existing facilities or for the replacement or improvement of equipment therein, and (2) subject to the provisions of section 10-65b [A>and within available appropriations<A] , in an amount equal to three thousand two hundred dollars per student for every secondary school student who was enrolled in such center on October first of the previous year.

Sec. 254. Subsection (g) of section 10-65 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(g) Notwithstanding the provisions of sections 10-51 and 10-222, for the fiscal

[D>year<D]

[A>years<A] ending June 30, 2015,

[A>to June 30, 2017, inclusive,<A] any amount

received by a local or regional board of education pursuant to subdivision (2) of subsection (a) of this section that exceeds the amount appropriated for education by the municipality or the amount in the budget approved by such regional board of education for purposes of said subdivision (2) of subsection (a) of this section, shall be available for use by such local or regional board of education, provided such excess amount is spent in accordance with the provisions of subdivision (2) of subsection (a) of this section.

Sec. 255. Subsection (f) of section 10-266aa of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(f) The Department of Education shall provide grants to regional educational service centers or local or regional boards of education for the reasonable cost of transportation for students participating in the program. For the fiscal [D>year<D]

[A>years<A] ending June 30,

[D>2003, and each fiscal year thereafter<D]

[A>2015, to June 30,

2017, inclusive<A] , the department shall provide such grants within available appropriations, provided the state-wide average of such grants does not exceed an amount equal to three thousand two hundred fifty dollars for each student transported, except that the Commissioner of Education may grant to regional educational service centers [A>or local or regional boards of education<A] additional sums from funds remaining in the appropriation for such transportation services if needed to offset transportation costs that exceed such maximum amount. The regional educational service centers shall provide reasonable transportation services to high school students who wish to participate in supervised extracurricular activities. For purposes of this section, the number of students

transported shall be determined on

[D>September<D]

[A>October<A] first of each fiscal year.

Sec. 256. (Effective July 1, 2015) (a) For the fiscal year ending June 30, 2016, the distribution of priority school district grants, pursuant to subsection (a) of section 10-266p of the general statutes, shall be as follows: (1) For priority school districts in the amount of \$ 37,252,757, (2) for extended school building hours in the amount of \$ 2,994,752, and (3) for school accountability in the amount of \$ 3,499,699.

(b) For the fiscal year ending June 30, 2017, the distribution of priority school district grants, pursuant to subsection (a) of section 10-266p of the general statutes, shall be as follows: (1) For priority school districts in the amount of \$ 38,342,720, (2) for extended school building hours in the amount of \$ 2,994,752, and (3) for school accountability in the amount of \$ 3,499,699.

Sec. 257. Subsection (a) of section 10-19o of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The Commissioner of Education shall establish a program to provide grants to youth service bureaus in accordance with this section. Only youth service bureaus which were eligible to receive grants pursuant to this section for the fiscal year ending June 30, 2007, or which applied for a grant by June 30, 2012, with prior approval of the town's contribution pursuant to subsection (b) of this section, [A>or which applied for a grant during the fiscal year ending June 30, 2015,<A] shall be eligible for a grant pursuant to this section for any fiscal year commencing on or after July 1, 2012. Each such youth service bureau shall receive a grant of fourteen thousand dollars. The Department of Education may expend an amount not to exceed two per cent of the amount appropriated for purposes of this section for administrative expenses. If there are any remaining funds, each such youth service bureau that was awarded a grant in excess of fifteen thousand dollars in the fiscal year ending June 30, 1995, shall receive a percentage of such funds. The percentage shall be determined as follows: For each such grant in excess of fifteen thousand dollars, the difference between the amount of the grant awarded to the youth service bureau for the fiscal year ending June 30, 1995, and fifteen thousand dollars shall be divided by the difference between the total amount of the grants awarded to all youth service bureaus that were awarded grants in excess of fifteen thousand dollars for said fiscal year and the product of fifteen thousand dollars and the number of such grants for said fiscal year.

Sec. 258. Subsection (a) of section 10-223h of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The Commissioner of Education shall establish [A>, within available appropriations,<A] a commissioner's network of schools to improve student academic

achievement in low-performing schools.

[D>On or before July 1, 2014, the<D]

[A>The<A]

commissioner may select not more than twenty-five schools [A>in any single school year<A] that have been classified as a category four school or a category five school pursuant to section 10-223e to

participate in the commissioner's network of schools. The commissioner shall issue guidelines regarding the development of turnaround plans, and such guidelines shall include, but not be limited to, annual deadlines for the submission or nonsubmission of a turnaround plan and annual deadlines for approval or rejection of turnaround plans. The commissioner shall give preference for selection in the commissioner's network of schools to such schools (1) that volunteer to participate in the commissioner's network of schools, provided the local or regional board of education for such school and the representatives of the exclusive bargaining unit for certified employees chosen pursuant to section 10-153b mutually agree to participate in the commissioner's network of schools, (2) in which an existing collective bargaining agreement between the local or regional board of education for such school and the representatives of the exclusive bargaining unit for certified employees chosen pursuant to section 10-153b will have expired for the school year in which a turnaround plan will be implemented, or (3) that are located in school districts that (A) have experience in school turnaround reform, or (B) previously received a school improvement grant pursuant to Section 1003(g) of Title I of the Elementary

and Secondary Education Act, 20 USC 6301 et seq. The commissioner

[D>shall not<D]

[A>may<A]select

[A>not<A] more than

[D>two<D]

[A>five<A] schools

[A>in any single school year<A] from a

single school district [D>in a single school year and shall not select more than four

schools in total from a single district<D]

[A>to participate in the commissioner's

network of schools<A] . Each school so selected shall begin implementation of a turnaround plan, as described in subsection (d) of this section [A>.<A] [D>, not later than the school year commencing July 1, 2014.<D] Each school so selected shall participate in the commissioner's network of schools for three school years, and may continue such participation for an additional year, not to exceed two additional years, upon approval from the State Board of Education in accordance with the provisions of subsection (h) of this section. The commissioner shall provide funding, technical assistance and operational support to schools participating in the commissioner's network of schools and may provide financial support to teachers and administrators working at a school that is participating in the commissioner's network of schools. All costs attributable to developing and implementing a turnaround plan in excess of the ordinary operating expenses for such school shall be paid by the State Board of Education.

Sec. 259. Section 17a-248 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

As used in this section and sections 17a-248b to 17a-248g, to sections 17a-248b to 17a-248g, inclusive, 38a-490a and 38a-516a, unless the context otherwise requires:

(1) "Commissioner" means the Commissioner of
[D>Developmental Services<D]
[A>Early

Childhood<A] .

(2) "Council" means the State Interagency Birth-to-Three Coordinating Council established pursuant to section 17a-248b.

(3) "Early intervention services" means early intervention services, as defined in 34 CFR Part 303. 13, as from time to time amended.

(4) "Eligible children" means children from birth to thirty-six months of age, who are not eligible for special education and related services pursuant to sections 10-76a to 10-76h, to sections 10-76a to 10-76h, inclusive, and who need early intervention services because such children are:

(A) Experiencing a significant developmental delay as measured by standardized diagnostic instruments and procedures, including informed clinical opinion, in one or more of the following areas: (i) Cognitive development; (ii) physical development, including vision or hearing; (iii) communication development; (iv) social or emotional development; or (v) adaptive skills; or

(B) Diagnosed as having a physical or mental condition that has a high probability of resulting in developmental delay.

(5) "Evaluation" means a multidisciplinary professional, objective assessment conducted by appropriately qualified personnel in order to determine a child's eligibility for early intervention services.

(6) "Individualized family service plan" means a written plan for providing early intervention services to an eligible child and the child's family.

(7) "Lead agency" means the
[D>Department of Developmental Services<D]
[A>Office of Early

Childhood<A] , the public agency responsible for the administration of the birth-to-three system in collaboration with the participating agencies.

(8) "Parent" means (A) a biological, adoptive or foster parent of a child; (B) a guardian, except for the Commissioner of Children and Families; (C) an individual acting in the place of a biological or adoptive parent, including, but not limited to, a grandparent, stepparent, or other relative with whom the child lives; (D) an individual who is legally responsible for the child's welfare; or (E) an individual appointed to

be a surrogate parent.

(9) "Participating agencies" includes, but is not limited to, the Departments of Education, Social Services, Public Health, Children and Families and Developmental Services, [A>the Office of Early Childhood,<A] the Insurance Department, the Department of Rehabilitation Services and the Office of Protection and Advocacy for Persons with Disabilities.

(10) "Qualified personnel" means persons who meet the standards specified in 34 CFR Part 303. 31, as from time to time amended, and who are licensed physicians or psychologists or persons holding a state-approved or recognized license, certificate or registration in one or more of the following fields: (A) Special education, including teaching of the blind and the deaf; (B) speech and language pathology and audiology; (C) occupational therapy; (D) physical therapy; (E) social work; (F) nursing; (G) dietary or nutritional counseling; and (H) other fields designated by the commissioner that meet requirements that apply to the area in which the person is providing early intervention services, provided there is no conflict with existing professional licensing, certification and registration requirements.

(11) "Service coordinator" means a person carrying out service coordination services, as defined in 34 CFR Part 303. 34, as from time to time amended.

(12) "Primary care provider" means physicians and advanced practice registered nurses, licensed by the Department of Public Health, who are responsible for performing or directly supervising the primary care services for children enrolled in the birth-to-three program.

Sec. 260. Subsection (e) of section 17a-248g of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(e) The commissioner shall establish and periodically revise, in accordance with this section, a schedule of fees based on a sliding scale for early intervention services. The schedule of fees shall consider the cost of such services relative to the financial resources of the state and the parents or legal guardians of eligible children, provided that on and after October 6, 2009, the commissioner shall (1) charge fees to such parents or legal guardians that are sixty per cent greater than the amount of the fees charged on the date prior to October 6, 2009; and (2) charge fees for all services provided, including those services provided in the first two months following the enrollment of a child in the program. Fees may be charged to any such parent or guardian, regardless of income, and shall be charged to any such parent or guardian with a gross annual family income of forty-five thousand dollars or more, except that no fee may be charged to the parent or guardian of a child who is eligible for Medicaid. Notwithstanding the provisions of subdivision (8) of section 17a-248, as used in this subsection, "parent" means the biological or adoptive parent or legal guardian of any child receiving early intervention services. The [D>Department of Developmental Services<D] [A>lead agency<A] may assign its right to collect fees to a designee or provider participating in the early intervention program and providing services to a recipient in order to assist the provider in obtaining payment for such services. The commissioner may implement procedures for the collection of the schedule of fees while in the process of adopting or

amending such criteria in regulation,

provided the commissioner

[D>prints<D]

[A>posts<A] notice of intention to adopt or amend the regulations

[D>in the Connecticut Law Journal<D]

[A>on the eRegulations System,

established pursuant to section 4-173b,<A] within twenty days of implementing the policy. Such collection procedures and schedule of fees shall be valid until the time the final regulations or amendments are effective.

Sec. 261. Section 17a-248h of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

The birth-to-three program, established under section 17a-248b and administered by

the

[D>Department of Developmental Services<D]

[A>Office of Early Childhood<A] , shall

provide mental health services to any child eligible for early intervention services pursuant to Part C of the Individuals with Disabilities Education Act, 20 USC 1431 et seq. , as amended from time to time. Any child not eligible for services under said act shall be referred by the program to a licensed mental health care provider for evaluation and treatment, as needed.

Sec. 262. (NEW) (Effective July 1, 2015) (a) Not later than October 1, 2015, the Commissioner of Early Childhood shall require, as part of the birth-to-three program, established under section 17a-248b of the general statutes, that the parent or guardian of a child who is (1) receiving services under the birth-to-three program, and (2) exhibiting delayed speech, language or hearing development, be notified of the availability of hearing testing for such child. Such notification may include, but not be limited to, information regarding (A) the benefits of hearing testing for children, (B) the resources available to the parent or guardian for hearing testing and treatment, and (C) any financial assistance that may be available for such testing.

(b) The Commissioner of Early Childhood may adopt regulations, in accordance with chapter 54 of the general statutes, to implement the provisions of subsection (a) of this section.

Sec. 263. (Effective July 1, 2015) (a) There is established a Planning Commission for Education to develop and recommend the implementation of a strategic master plan for public education in Connecticut.

(1) The commission shall consist of the following voting members: (A) Five members appointed by the speaker of the House of Representatives, one of whom shall be a current or former superintendent of

schools for a rural school district, one of whom shall be a certified teacher who is currently employed as a teacher in a public school or has retired from teaching in a public school not less than one year prior to appointment, one of whom shall be a person with knowledge and experience with students with special education needs, one of whom shall be a person with knowledge and experience in systems building and one of whom shall be a representative of an organization representing boards of education; (B) five members appointed by the president pro tempore of the Senate, one of whom shall be a current or former superintendent of schools for an urban school district in which a charter school and interdistrict magnet school are located, one of whom shall be a certified teacher who is currently employed as a teacher in a public school or has retired from teaching in a public school not less than one year prior to appointment, one of whom shall be a person with knowledge and experience regarding early childhood education, one of whom shall be a person with knowledge and experience in civil rights relating to equity, access and the quality of education and one of whom shall be a person with knowledge and experience regarding adult education; (C) two members appointed by the majority leader of the House of Representatives, one of whom shall be a current or former superintendent of schools for a regional school district and one of whom shall be a student who is enrolled in a public high school in the state; (D) two members appointed by the majority leader of the Senate, one of whom shall be a current or former superintendent of schools for a suburban school district and one of whom shall be a parent or guardian of a student who is enrolled in a public school in the state; (E) two members appointed by the minority leader of the House of Representatives, one of whom shall be a representative of a state-wide business organization and one of whom shall be a scholar who has experience and expertise in the field of education from prekindergarten to grade twelve, inclusive; (F) two members appointed by the minority leader of the Senate, one of whom shall be an entrepreneur and one of whom shall be a scholar who has experience and expertise in the field of higher education; (G) nine members appointed by the Governor, one of whom shall be a certified teacher who is currently employed as a teacher in a public school or has retired from teaching in a public school not less than one year prior to appointment, one of whom shall be a parent or guardian of a student who is enrolled in a public school in the state, one of whom shall be a person with knowledge and experience in civil rights relating to equity, access and the quality of education and one of whom shall be a person with knowledge and experience in academically advanced curriculum development; (H) the Commissioner of Education; and (I) the Commissioner of Early Childhood. The commission membership shall reflect the state's geographic, racial and ethnic diversity.

(2) The commission shall elect cochairpersons of the commission at its first meeting. Any vacancies shall be filled by the appointing authority. The commission members shall serve without compensation except for necessary expenses incurred in the performance of their duties. The commission may seek the advice and participation of any person, organization or state or federal agency it deems necessary to carry out the provisions of this section. The commission may, within available appropriations, retain consultants to assist in carrying out its duties. The commission may receive funds from any public or private sources to carry out its activities.

(b) The commission shall articulate a clear vision and mission for developing a sustainable, equitable

and high-quality public education system that coordinates the components of education reform, clarifies how such components of education reform work together and provides every child with access to an educational experience that meets such child's needs. The commission shall develop and recommend the implementation of a strategic master plan to carry out such vision and mission.

(1) In developing the strategic master plan, the commission shall address the following issues: (A) How to better organize the state public education system to streamline various and disparate mandates, initiatives and reforms that may compete with the articulated vision and mission; (B) the manner in which the public education system utilizes data and supports to inform and improve the provision of education in the state; (C) the extent to which the accountability system assesses the most worthy outcomes of public education; and (D) the identification and analysis of the most significant factors that effect and support the most worthy outcomes of public education for all students, including, but not limited to, poverty, socioeconomic and racial isolation, language barriers and parental engagement in a student's education.

(2) In addressing the issues described in subdivision (1) of this subsection, the commission shall consider: (A) What are the most worthy outcomes of public education and what means can be taken to achieve such outcomes; (B) the extent to which the public education system prepares students to meet the challenges of work, citizenship and life upon graduation; (C) strategies to develop state-wide education leadership goals and to enhance education leadership in conformance with such goals; (D) ways to ensure effective communication and partnership between school districts and the families of children who attend public school in such school district, with particular focus on diversity; (E) ways to share best practices within the public education system, including, but not limited to, learning across methodologies, models and structures of educational excellence; (F) what innovations are necessary to excel in both competitiveness and character; (G) the extent to which the public education system empowers students and educators to excel, innovate and build on strengths; and (H) best practices that ensure high quality instruction and promote continuous systemic improvement.

(3) The commission shall also examine and recommend changes to funding policies, practices and accountability in order to (A) align such funding policies, practices and accountability with the strategic master plan, (B) ensure that all school districts receive equitable funding from the state, and (C) determine and recommend measures to promote the adoption of ways in which resources can be most effectively utilized.

(c) (1) Not later than April 15, 2016, the commission shall submit a preliminary report on the development of the strategic master plan together with any recommendations for appropriate legislation and funding to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations, in accordance with the provisions of section 11-4a of the general statutes.

(2) Not later than February 15, 2017, the commission shall submit the strategic master plan, including specific goals and benchmarks for implementation, together with any recommendations for appropriate

legislation and funding to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations, in accordance with the provisions of section 11-4a of the general statutes. The commission shall terminate on the date that it submits the strategic master plan or February 15, 2017, whichever is later.

Sec. 264. (NEW) (Effective July 1, 2015) For the fiscal year ending June 30, 2016, and each fiscal year thereafter, the Department of Education shall submit an annual report regarding federal funds received pursuant to the federal Individuals with Disabilities Education Act, 20 USC 1400 et seq. , as amended from time to time, to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes. Such report shall include, but need not be limited to: (1) The total amount of federal funds received pursuant to said Individuals with Disabilities Education Act, (2) the total amount of such federal funds paid by the department to local and regional boards of education, (3) the total amount of such federal funds paid by the department to each local or regional board of education, and (4) a description of how such federal funds are being spent, including, but not limited to, which programs are receiving such federal funds from the department.

Sec. 265. (Effective July 1, 2015) The Department of Social Services shall conduct a study of the feasibility of compiling an annual report regarding federal funds received through the Medicaid program for the purpose of funding special education and related services. The study shall examine how the department would include the following components in such annual report: (1) The total amount of federal funds received through the Medicaid School Based Child Health Program for the purpose of funding special education and related services, (2) the total amount of such Medicaid School Based Child Health Program funds paid by the department for the purpose of funding special education and related services, (3) the total amount of such Medicaid School Based Child Health Program funds paid by the department to each provider of special education and related services, and (4) a description of how such Medicaid School Based Child Health Program funds are being spent, including, but not limited to, a description of which programs are receiving such Medicaid School Based Child Health Program funds from the department. Not later than January 1, 2016, the department shall submit such study to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 266. (NEW) (Effective July 1, 2015) (a) The State Board of Education, in collaboration with the Bureau of Rehabilitation Services, the Department of Developmental Services and the Office of Workforce Competitiveness, shall: (1) Coordinate the provision of transition resources, services and programs to children requiring special education and related services, (2) create, and update as necessary, a fact sheet that lists the state agencies that provide transition resources, services and programs and a brief description of such transition resources, services and programs and disseminate such fact sheet to local and regional boards of education for distribution to parents, teachers, administrators and boards of education, and (3) annually collect information related to transition resources, programs and services provided by other state agencies and make such information available

to parents, teachers, administrators and boards of education.

(b) For the school year commencing July 1, 2016, and each school year thereafter, the State Board of Education shall distribute the information described in subdivision (2) of subsection (a) of this section to each local or regional board of education. Each local or regional board of education shall annually distribute such information to the parent of a child requiring special education and related services in grades six to twelve, inclusive, at a planning and placement team meeting for such child. As used in this section, "parent" means the parent or guardian of a child requiring special education or the surrogate parent or, in the case of a pupil who is an emancipated minor or eighteen years of age or older, the pupil.

Sec. 267. (Effective July 1, 2015) (a) The Commissioner of Education, in consultation with the Individualized Education Program Advisory Council established pursuant to section 268 of this act, shall develop a new individualized education program form that is easier for practitioners to use and easier for parents and students to understand. Such individualized education program form shall include a brief description of, and contact information for, the parent training and information center for Connecticut established pursuant to the Individuals with Disabilities Education Act, 20 USC 1400 et seq. , as amended from time to time, and the Bureau of Special Education within the Department of Education in a conspicuous place on the first of the individualized education program form using at least twelve-point Times New Roman font.

(b) Not later than January 1, 2017, the commissioner shall submit the new individualized education program form developed pursuant to this section to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 268. (Effective July 1, 2015) (a) There is established an Individualized Education Program Advisory Council that shall assist the Commissioner of Education in the development of a new individualized education program form that is easier for practitioners to use and easier for parents and students to understand, pursuant to section 267 of this act.

(b) The advisory council shall consist of the following members:

(1) Two members appointed by the speaker of the House of Representatives, one of whom shall be an advocate for parents or guardians of children requiring special education and related services and one of whom shall be a special education teacher in a public school who is a member of the American Federation of Teachers-Connecticut;

(2) Two members appointed by the president pro tempore of the Senate, one of whom shall be a superintendent of schools and one of whom shall be a representative of the Connecticut State Advisory Committee on Special Education;

(3) Two members appointed by the majority leader of the House of Representatives, one of whom shall

be a principal of a public school and one of whom shall be a teacher in a public school who is a member of the Connecticut Education Association;

(4) Two members appointed by the majority leader of the Senate, one of whom shall be an advocate for parents or guardians of children requiring special education and related services and one of whom shall be a representative of the RESC Alliance;

(5) Two members appointed by the minority leader of the House of Representatives, one of whom shall be a director of pupil personnel and one of whom shall be a representative of the State Education Resource Center, established pursuant to section 10-357a of the general statutes;

(6) Two members appointed by the minority leader of the Senate, one of whom shall be a representative of the Connecticut Association of Boards of Education and one of whom shall be a representative of the American School for the Deaf; and

(7) The Commissioner of Education, or the commissioner's designee.

(c) All appointments to the advisory council, pursuant to subsection (b) of this section, shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(d) The Commissioner of Education may appoint any employee of the Department of Education with expertise in special education to serve as a nonvoting member of the council.

(e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the advisory council from among the members of the advisory council. Such chairpersons shall schedule the first meeting of the advisory council, which shall be held not later than sixty days after the effective date of this section.

(f) The State Education Resource Center, established pursuant to section 10-357a of the general statutes, shall provide administrative support to the advisory council.

(g) The advisory council shall terminate on the date that the Commissioner of Education submits the new individualized education program form to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 267 of this act, or January 1, 2017, whichever is later.

Sec. 269. (Effective July 1, 2015) (a) Except as otherwise provided in subsection (e) of this section, the Department of Education shall (1) purchase, in accordance with the provisions of section 4a-57 of the general statutes, a digital individualized education program form software for purposes of creating, submitting and sharing digital copies of a student's individualized education program and related documents among authorized users, and (2) provide such digital individualized education program form software at no cost to local and regional boards of education and the technical high school system.

(b) On or before October 1, 2015, the department shall issue a request for proposals to eligible software companies for the purchase of the digital individualized education program form software. Such request for proposals shall require that the digital individualized education program form software: (1) Allow authorized users to create and submit a complete digital copy of a student's individualized education program and related documents to the portal and share such digital copy with (A) the department for purposes of conducting a remote audit; and (B) a local or regional board of education or the technical high school system in a case where the student may transfer, (2) provide twenty-four-hour access for an unlimited number of authorized users to use the digital individualized education program form software, (3) provide an electronic catalog of goals and objectives aligned with the curriculum standards adopted by the State Board of Education, (4) allow local and regional boards of education and the technical high school system to purchase additional programs to supplement the digital individualized education program form software, and (5) protect a student's individual education program and related documents that are created, submitted and shared using the digital individualized education program form software from unauthorized access, destruction, use, modification or disclosure in accordance with current industry standards.

(c) When evaluating the responses to the request for proposals and selecting a digital individualized education program form software, the department shall consider the types of digital individualized education program form software currently used and successfully implemented by local and regional boards of education and the technical high school system.

(d) For the school year commencing July 1, 2016, and each school year thereafter, if the department purchases a digital individualized education program under this section, the department shall provide such digital individualized education program form software to fifty per cent of the local and regional boards of education and to fifty per cent of the technical high schools under the jurisdiction of the technical high school system. For the school year commencing July 1, 2017, and each school year thereafter, the department shall provide the digital individualized education program form software to the remaining fifty per cent of the local and regional boards of education and to the remaining fifty per cent of the technical high schools under the jurisdiction of the technical high school system.

(e) The department shall not be required to purchase a digital individualized education program form software under this section if the department is unable to select a digital individualized education program form software because (1) none of the digital individualized education program form software included in the responses to the request for proposals satisfy the requirements described in subsection (b) of this section, or (2) the cost of a digital individualized education program form software included in the responses to the request for proposals exceeds the amount appropriated for the purchase of a digital individualized education program form software. If the department does not purchase a digital individualized education program form software, then the department shall conduct a study of the feasibility of the department creating and administering its own digital individualized education form software for the purposes described in subsection (a) of this section. Not later than April 1, 2016, the department shall submit such study to the joint standing committee of the General Assembly having

cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 270. (NEW) (Effective July 1, 2015) (a) The Department of Education shall provide a digital individualized education program form software at no cost to local and regional boards of education and the technical high school system in accordance with section 269 of this act. Such digital individualized education program form software shall permit local and regional boards of education and the technical high school system to create and submit a complete digital copy of a student's individualized education program and related documents to (1) the department for purposes of conducting a remote audit, and (2) a local or regional board of education or the technical high school system in which such student has transferred to.

(b) A local and regional board of education and the technical high school system shall use the digital individualized education program form software when such software is provided by the department, except as otherwise provided in subsection (c) of this section.

(c) Nothing in this section shall affect or impair any agreement entered into between a local or regional board of education or the technical high school system and a software company for purposes of creating and sharing digital copies of a student's individualized education program and related documents prior to the department providing a digital individualized education program form software to such local or regional board of education or such technical high school system pursuant to subsection (a) of this section. When any such agreement terminates or expires, the local or regional board of education or the technical high school system, as applicable, shall use the digital individualized education program form software provided by the department.

Sec. 271. (Effective July 1, 2015) The State Education Resource Center, established pursuant to section 10-357a of the general statutes, shall conduct a study regarding assistive technology equipment sharing programs. Such study shall examine (1) existing assistive technology equipment sharing programs in the state, (2) the effectiveness and capacity of such existing assistive technology equipment sharing programs, (3) whether local and regional boards of education have access to at least one assistive technology equipment sharing program, and (4) how to create a plan that would make assistive technology equipment sharing programs available to local and regional boards of education who do not have access to assistive technology equipment sharing programs. Not later than January 1, 2016, the State Education Resource Center shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 272. (NEW) (Effective July 1, 2015) The Department of Education shall provide, upon request, complete and accurate information regarding special education programs and services offered by the state, local and regional boards of education, regional educational service centers and other providers, provided such information is not otherwise prohibited from disclosure under state or federal law, to organizations that represent and provide services to parents and guardians of children requiring special

education and related services.

Sec. 273. (NEW) (Effective July 1, 2015) (a) The State Education Resource Center, established pursuant to section 10-357a of the general statutes, shall accept notices of events submitted to the center by special education advocacy groups, local and regional boards of education, regional education service centers and other providers of special education services for the purpose of maintaining a calendar of learning and training opportunities for the public regarding the provision of special education programs and services, except the center may exclude any notice of an event that the center determines is not a legitimate learning or training opportunity for the public. Such calendar may be made available on the center's Internet web site.

(b) The Connecticut Parent Advocacy Center may reproduce and share the calendar described in subsection (a) of this section.

(c) The Department of Education shall post a link to the calendar described in subsection (a) of this section in a conspicuous location on the department's Internet web site.

Sec. 274. (Effective July 1, 2015) (a) There is established a regional educational service center special education funding working group. The working group shall: (1) Study the funding provided to and expenditures of regional educational service centers for the provision of special education and related services, including, but not limited to, the sources of special education funds received by regional educational service centers and the ways in which regional educational service centers use such funds to provide special education and related services, and (2) make recommendations regarding how regional educational service centers can access additional special education funding and use such funds more efficiently and in ways that expand the provision of special education services, such as transportation, training and therapeutic services.

(b) The working group shall consist of the following members:

(1) Two members appointed by the speaker of the House of Representatives, one of whom shall be a member of the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and one of whom shall be a representative of the Capitol Region Education Council;

(2) Two members appointed by the president pro tempore of the Senate, one of whom shall be a chief executive officer of a town, city or borough in this state and one of whom shall be a representative of the Area Cooperative Educational Services;

(3) Two members appointed by the majority leader of the House of Representatives, one of whom shall be a director of pupil personnel and one of whom shall be a representative of Education Connection;

(4) Two members appointed by the majority leader of the Senate, one of whom shall be a superintendent of schools and one of whom shall be a representative of LEARN;

(5) Two members appointed by the minority leader of the House of Representatives, one of whom shall

be a representative of the Connecticut Association of School Business Officials and one of whom shall be a representative of EASTCONN;

(6) Two members appointed by the minority leader of the Senate, one of whom shall be a representative from the Connecticut Association of Boards of Education and one of whom shall be a representative of Cooperative Educational Services;

(7) The Secretary of the Office of Policy and Management, or the secretary's designee; and

(8) The Commissioner of Education, or the commissioner's designee.

(c) All appointments to the working group shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(d) The chairpersons of the working group shall be (1) a member of the working group jointly selected by the speaker of the House of Representatives and the president pro tempore of the Senate, and (2) the Commissioner of Education, or the commissioner's designee. Such chairpersons shall schedule the first meeting of the working group, which shall be held not later than sixty days after the effective date of this section.

(e) The RESC Alliance shall provide administrative support to the working group.

(f) Not later than July 1, 2016, the working group shall submit a report on its findings and recommendations related to special education funding for and expenditures of regional educational service centers, as described in subdivision (1) of subsection (a) of this section, to the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations, in accordance with the provisions of section 11-4a of the general statutes. The working group shall terminate on the date that it submits such report or July 1, 2016, whichever is later.

Sec. 275. (Effective July 1, 2015) (a) Each regional educational service center shall develop, in consultation with the Department of Education, a regional model for the provision of special education services related to transportation, training and therapeutic services to be used for the provision of such special education services to all school districts served by such regional educational service center. Each regional model shall take into account the least restrictive environment for students receiving special education and related services and include (1) a regional transportation plan, developed in consultation with public transit districts, that provides transportation to children requiring special education and related services, (2) a regional educator training plan that provides special education training to teachers, school paraprofessionals and administrators that includes, but need not be limited to, instruction regarding classroom techniques to improve the provision of special education and related services to children and the implementation of scientific research-based interventions, (3) a regional plan for the provision of therapeutic services, including, but not limited to, speech therapy, physical therapy and occupational therapy, and (4) a plan for the provision of transportation, training and therapeutic services in a manner that makes such services readily available to each school district served by the

regional educational service center rather than by request of a school district.

(b) Not later than October 1, 2016, each regional educational service center shall submit such model to the State Board of Education and the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 276. Subsection (d) of section 10-145b of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

[A>(d) (1) On and after July 1, 2016, in order to be eligible to obtain an initial educator certificate, each person shall be required to complete (A) a course of study in special education comprised of not fewer than thirty-six hours, which shall include an understanding of the growth and development of exceptional children, including handicapped and gifted and talented children and children who may require special education, and methods for identifying, planning for and working effectively with special needs children in a regular classroom, and (B) a course or courses of study in special education relating to instruction on classroom techniques in reading, differentiated instruction, social-emotional learning, cultural competencies and assistive technology. The provisions of this subdivision shall not apply to any person who has been issued an initial educator certificate prior to July 1, 2016.<A]

[D>(d) In<D]

[A>(2) On and after July 1, 2016, in<A] order to be eligible to obtain a

[D>provisional teaching certificate, a<D] provisional educator certificate [A>,<A] [D>or an initial educator certificate,<D] each person shall be required to complete a course of study in special education comprised of not fewer than thirty-six hours, which shall include an understanding of the growth and development of exceptional children, including handicapped and gifted and talented children and children who may require special education, and methods for identifying, planning for and working effectively with special needs children in a regular classroom.

[A>(3)<A] Notwithstanding the provisions of this subsection to the contrary, each applicant for such certificates who has met all requirements for certification except the completion of the course in special education shall be entitled to a

certificate

[D>(1)<D]

[A>(A)<A] for a period not to exceed one year, provided the applicant

completed a teacher preparation program either in the state prior to July 1, 1987, or outside the state, or completed the necessary combination of professional

experience or coursework as required by the State Board of Education or
[D>(2)<D]
[A>(B)<A]

for a period not to exceed two years if the applicant applies for certification in an area for which a bachelor's degree is not required.

Sec. 277. Subsection (a) of section 10-76d of the general statutes, as amended by section 8 of public act 15-141 and section 1 of public act 15-209, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) (1) In accordance with the regulations and procedures established by the Commissioner of Education and approved by the State Board of Education, each local or regional board of education shall provide the professional services requisite to identification of children requiring special education, identify each such child within its jurisdiction, determine the eligibility of such children for special education pursuant to sections 10-76a to 10-76h, to sections 10-76a to 10-76h, inclusive, prescribe appropriate educational programs for eligible children, maintain a record thereof and make such reports as the commissioner may require. No child may be required to obtain a prescription for a substance covered by the Controlled Substances Act, 21 USC 801 et seq. , as amended from time to time, as a condition of attending school, receiving an evaluation under section 10-76ff or receiving services pursuant to sections 10-76a to 10-76h, to sections 10-76a to 10-76h, inclusive, or the Individuals with Disabilities Education Act, 20 USC 1400 et seq. , as amended from time to time.

(2) Any local or regional board of education, through the planning and placement team established in accordance with regulations adopted by the State Board of Education under this section, may determine a child's Medicaid enrollment status. In determining Medicaid enrollment status, the planning and placement team shall: (A) Inquire of the parents or guardians of each such child whether the child is enrolled in or may be eligible for Medicaid; and (B) if the child may be eligible for Medicaid, request that the parent or guardian of the child apply for Medicaid. For the purpose of determining Medicaid rates for Medicaid eligible special education and related services based on a representative cost sampling method, the board of education shall make available documentation of the provision and costs of Medicaid eligible special education and related services for any students receiving such services, regardless of an individual student's Medicaid enrollment status, to the Commissioner of Social Services or to the commissioner's authorized agent at such time and in such manner as prescribed. For the purpose of determining Medicaid rates for Medicaid eligible special education and related services based on an actual cost method, the local or regional board of education shall submit documentation of the costs and utilization of Medicaid eligible special education and related services for all students receiving such services to the Commissioner of Social Services or to the commissioner's authorized agent at such time and in such manner as prescribed. The commissioner or such agent may use information received from local or regional boards of education for the purposes of (i) ascertaining students' Medicaid eligibility status, (ii) submitting Medicaid claims, (iii) complying with state and federal

audit requirements, and (iv) determining Medicaid rates for Medicaid eligible special education and related services. No child shall be denied special education and related services in the event the parent or guardian refuses to apply for Medicaid.

(3) Beginning with the fiscal year ending June 30, 2004, the Commissioner of Social Services shall make grant payments to local or regional boards of education in amounts representing fifty per cent of the federal portion of Medicaid claims processed for Medicaid eligible special education and related services provided to Medicaid eligible students in the school district. Beginning with the fiscal year ending June 30, 2009, the commissioner shall exclude any enhanced federal medical assistance percentages in calculating the federal portion of such Medicaid claims processed. Such grant payments shall be made on at least a quarterly basis and may represent estimates of amounts due to local or regional boards of education. Any grant payments made on an estimated basis, including payments made by the Department of Education for the fiscal years prior to the fiscal year ending June 30, 2000, shall be subsequently reconciled to grant amounts due based upon filed and accepted Medicaid claims and Medicaid rates. If, upon review, it is determined that a grant payment or portion of a grant payment was made for ineligible or disallowed Medicaid claims, the local or regional board of education shall reimburse the Department of Social Services for any grant payment amount received based upon ineligible or disallowed Medicaid claims.

(4) Pursuant to federal law, the Commissioner of Social Services, as the state's Medicaid agent, shall determine rates for Medicaid eligible special education and related services pursuant to subdivision (2) of this subsection. The Commissioner of Social Services may request and the Commissioner of Education and towns and regional school districts shall provide information as may be necessary to set such rates.

(5) Based on school district special education and related services expenditures, the state's Medicaid agent shall report and certify to the federal Medicaid authority the state match required by federal law to obtain Medicaid reimbursement of eligible special education and related services costs.

(6) Payments received pursuant to this section shall be paid to the local or regional board of education which has incurred such costs in addition to the funds appropriated by the town to such board for the current fiscal year.

(7) The planning and placement team shall, in accordance with the provisions of the Individuals With Disabilities Education Act, 20 USC 1400, et seq. , as amended from time to time, develop and update annually a statement of transition service needs for each child requiring special education.

(8) (A) Each local and regional board of education responsible for providing special education and related services to a child or pupil shall notify the parent or guardian of a child who requires or who may require special education, a pupil if such pupil is an emancipated minor or eighteen years of age or older who requires or who may require special education or a surrogate parent appointed pursuant to section 10-94g, in writing, at least five school days before such board proposes to, or refuses to, initiate or

change the child's or pupil's identification, evaluation or educational placement or the provision of a free appropriate public education to the child or pupil.

(B) Upon request by a parent, guardian, pupil or surrogate parent, the responsible local or regional board of education shall provide such parent, guardian, pupil or surrogate parent an opportunity to meet with a member of the planning and placement team designated by such board prior to the referral planning and placement team meeting at which the assessments and evaluations of the child or pupil who requires or may require special education is presented to such parent, guardian, pupil or surrogate parent for the first time. Such meeting shall be for the sole purpose of discussing the planning and placement team process and any concerns such parent, guardian, pupil or surrogate parent has regarding the child or pupil who requires or may require special education.

(C) Such parent, guardian, pupil or surrogate parent shall [A>(i)<A] be given at least five school days' prior notice of any planning and placement team meeting

conducted for such child or pupil

[A>, <A]

[D>and shall<D]

[A>(ii)<A] have the right to be

present at and participate in [A>all portions of such meeting at which an educational program for such child or pupil is developed, reviewed or revised,<A] and [A>(iii) have the right<A] to have advisors of such person's own choosing and at such person's own expense [A>, and to have the school paraprofessional assigned to such child or pupil, if any,<A] to be present at and to participate in all portions of such meeting at which an educational program for such child or pupil is developed, reviewed or revised.

(D) Immediately upon the formal identification of any child as a child requiring special education and at each planning and placement team meeting for such child, the responsible local or regional board of education shall inform the parent or guardian of such child or surrogate parent or, in the case of a pupil who is an emancipated minor or eighteen years of age or older, the pupil of (i) the laws relating to special education, (ii) the rights of such parent, guardian, surrogate parent or pupil under such laws and the regulations adopted by the State Board of Education relating to special education, including the right of a parent, guardian or surrogate parent to [A>(I)<A] withhold from enrolling such child in kindergarten, in accordance with the provisions of section 10-184, [A>and (II) have advisors and the school paraprofessional assigned to such child or pupil to be present at, and to participate in, all portions of such meeting at which an educational program for such child or pupil is developed, reviewed or revised, in accordance with the provisions of subparagraph (C) of this subdivision,<A] and (iii) any relevant information and resources relating to individualized education programs created by the Department of Education, including, but not limited to, information relating to transition resources and services for high school students. If such parent, guardian, surrogate parent or pupil does not attend a planning and placement team meeting, the responsible local or regional board of education shall mail such information

to such person.

(E) Each local and regional board of education shall have in effect at the beginning of each school year an educational program for each child or pupil who has been identified as eligible for special education.

(F) At each initial planning and placement team meeting for a child or pupil, the responsible local or regional board of education shall inform the parent, guardian, surrogate parent or pupil of the laws relating to physical restraint and

seclusion pursuant to section 1 of

[D>this act<D]

[A>public act 15-141<A] and the rights of

such parent, guardian, surrogate parent or pupil under such laws and the regulations adopted by the State Board of Education relating to physical restraint and seclusion.

(G) Upon request by a parent, guardian, pupil or surrogate parent, the responsible local or regional board of education shall provide the results of the assessments and evaluations used in the determination of eligibility for special education for a child or pupil to such parent, guardian, surrogate parent or pupil at least three school days before the referral planning and placement team meeting at which such results of the assessments and evaluations will be discussed for the first time.

(9) Notwithstanding any provision of the general statutes, for purposes of Medicaid reimbursement, when recommended by the planning and placement team and specified on the individualized education program, a service eligible for reimbursement under the Medicaid program shall be deemed to be authorized by a practitioner of the healing arts under 42 CFR 440. 130, provided such service is recommended by an appropriately licensed or certified individual and is within the individual's scope of practice. Certain items of durable medical equipment, recommended pursuant to the provisions of this subdivision, may be subject to prior authorization requirements established by the Commissioner of Social Services. Diagnostic and evaluation services eligible for reimbursement under the Medicaid program and recommended by the planning and placement team shall also be deemed to be authorized by a practitioner of the healing arts under 42 CFR 440. 130 provided such services are recommended by an appropriately licensed or certified individual and are within the individual's scope of practice.

(10) The Commissioner of Social Services shall implement the policies and procedures necessary for the purposes of this subsection while in the process of adopting such policies and procedures in regulation form, provided notice of intent to adopt the regulations is published in the Connecticut Law Journal within twenty days of implementing the policies and procedures. Such policies and procedures shall be valid until the time final regulations are effective.

Sec. 278. (NEW) (Effective July 1, 2015) (a) As used in this section and sections 279 and 281 of this act, "private provider of special education services" means any private school or private agency or institution, including a group home, that receives any state or local funds as a result of providing special

education services to any student with an individualized education program or for whom an individual services plan has been written by the local or regional board of education responsible for educating such student.

(b) In accomplishing their duties as set forth in section 7-396a of the general statutes and in accordance with the authority granted under chapter 111 of the general statutes, the Auditors of Public Accounts shall act as an agent of a local or regional board of education for the purposes of conducting an audit to examine the records and accounts of any private provider of special education services that (1) has entered into an agreement with a local or regional board of education, pursuant to section 10-76d of the general statutes, as amended by this act, or (2) receives any state or local funds to provide special education and related services, in connection with any grant made by any state agency pursuant to any section of the general statutes or any public or special act. Such examination shall include a compliance audit of whether such state or local funds to provide special education and related services have been expended for allowable costs, in accordance with state and federal law and the individualized education program or individual services plan for each child receiving special education and related services from such private provider of special education services.

(c) The Auditors of Public Accounts shall conduct the audit described in subsection (b) of this section as follows: (1) At least once for each private provider of special education services during a period of seven years, except that no private provider of special education services shall have its records and accounts so examined more than once during such five-year period, unless the auditors have found a problem with the records and accounts of such private provider of special education services during such five-year period; (2) as practical, approximately half of such audits conducted in a year shall be of private providers of special education services approved by the Department of Education and approximately half of such audits conducted in such year shall be of private providers of special education services not approved by the Department of Education; and (3) priority of conducting such audits, as practical, shall be given to those private providers of special education services (A) that receive the greatest total amount of state or local funds for the provision of special education services to students, (B) that provide special education services to the highest number of students for whom an individual services plan has been written by a local or regional board of education, and (C) that have a highest proportion of state and local funds for the provision of special education services in relation to their total operational expenses.

(d) The Auditors of Public Accounts may (1) consult the Department of Education during the course of an audit described in subsection (b) of this section for the purposes of conducting such audit, and (2) share any preliminary audit findings with the department.

(e) The Auditors of Public Accounts shall report their findings to (1) the local or regional board of education that has entered into an agreement with the private provider of special education services, pursuant to section 10-76d of the general statutes, as amended by this act, or that has completed an individualized education program or individual services plan for a student receiving special education and related services from a private provider of special education services, (2) the Commissioner of

Education, and (3) the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 279. (NEW) (Effective July 1, 2015) Each local and regional board of education shall annually provide to the Auditors of Public Accounts (1) the number of students under the jurisdiction of such board of education who receive special education and related services from a private provider of special education services, as defined in section 278 of this act, and (2) the amount of money paid to such private providers of special education services by the board during the previous fiscal year.

Sec. 280. Section 2-90 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The Auditors of Public Accounts shall organize the work of their office in such manner as they deem most economical and efficient and shall determine the scope and frequency of any audit they conduct.

(b) Said auditors, with the Comptroller, shall, at least annually and as frequently as they deem necessary, audit the books and accounts of the Treasurer, including, but not limited to, trust funds, as defined in section 3-13c, and certify the results to the Governor. The auditors shall, at least annually and as frequently as they deem necessary, audit the books and accounts of the Comptroller and certify the results to the Governor. They shall examine and prepare certificates of audit with respect to the financial statements contained in the annual reports of the Treasurer and Comptroller, which certificates shall be made part of such annual reports. In carrying out their responsibilities under this section, said auditors may retain independent auditors to assist them.

(c) Said auditors shall audit, on a biennial basis if deemed most economical and efficient, or as frequently as they deem necessary, the books and accounts of each officer, department, commission, board and court of the state government, all institutions supported by the state and all public and quasi-public bodies, politic and corporate, created by public or special act of the General Assembly and not required to be audited or subject to reporting requirements, under the provisions of chapter 111. Each such audit may include an examination of performance in order to determine effectiveness in achieving expressed legislative purposes. The auditors shall report their findings and recommendations to the Governor, the State Comptroller, the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, and the Legislative Program Review and Investigations Committee.

(d) The Auditors of Public Accounts may enter into such contractual agreements as may be necessary for the discharge of their duties. Any audit or report which is prepared by a person, firm or corporation pursuant to any contract with the Auditors of Public Accounts shall bear the signature of the person primarily responsible for the preparation of such audit or report. As used in this subsection, the term "person" means a natural person.

(e) If the Auditors of Public Accounts discover, or if it should come to their knowledge, that any unauthorized, illegal, irregular or unsafe handling or expenditure of state funds or any breakdown in the

safekeeping of any resources of the state has occurred or is contemplated, they shall forthwith present the facts to the Governor, the State Comptroller, the clerk of each house of the General Assembly, the Legislative Program Review and Investigations Committee and the Attorney General. Any Auditor of Public Accounts neglecting to make such a report, or any agent of the auditors neglecting to report to the Auditors of Public Accounts any such matter discovered by him or coming to his knowledge shall be fined not more than one hundred dollars or imprisoned not more than six months or both.

(f) All reports issued or made pursuant to this section shall be retained in the offices of the Auditors of Public Accounts for a period of not less than five years. The auditors shall file one copy of each such report with the State Librarian.

(g) Each state agency shall keep its accounts in such form and by such methods as to exhibit the facts required by said auditors and, the provisions of any other general statute notwithstanding, shall make all records and accounts available to them or their agents, upon demand.

(h) Where there are statutory requirements of confidentiality with regard to such records and accounts or examinations of nongovernmental entities which are maintained by a state agency, such requirements of confidentiality and the penalties for the violation thereof shall apply to the auditors and to their authorized representatives in the same manner and to the same extent as such requirements of confidentiality and penalties apply to such state agency. In addition, the portion of (1) any audit or report prepared by the Auditors of Public Accounts that concerns the internal control structure of a state information system or the identity of an employee who provides information regarding alleged fraud or weaknesses in the control structure of a state agency that may lead to fraud, or (2) any document that may reveal the identity of such employee, shall not be subject to disclosure under the Freedom of Information Act, as defined in section 1-200.

[A>(i) Said auditors shall audit, in accordance with the provisions of section 278 of this act, the records and accounts of any private provider of special education services, as defined in said section.<A]

Sec. 281. (NEW) (Effective July 1, 2015) Each private provider of special education services, as defined in section 278 of this act, shall submit to an audit conducted by the Auditors of Public Accounts pursuant to section 278 of this act and provide access to all records and accounts necessary to said auditors for purposes of conducting such audit.

Sec. 282. (NEW) (Effective July 1, 2015) (a) The Department of Education shall enter into memoranda of understanding with the Bureau of Rehabilitation Services, the Office of Early Childhood and the Departments of Developmental Services, Children and Families, Social Services and Correction regarding the provision of special education and related services to children, including, but not limited to, education, health care and transition services. Such memoranda of understanding shall account for current programs and services, utilize best practices and be updated or renewed at least every five years.

(b) The Bureau of Rehabilitation Services, the Office of Early Childhood and the Departments of

Developmental Services, Children and Families, Social Services and Correction shall, as necessary, enter into memoranda of understanding regarding the provision of special education and related services to children as such services relate to one another. Such memoranda of understanding shall account for current programs and services, utilize best practices and be updated or renewed at least every five years.

Sec. 283. (Effective July 1, 2015) The State Education Resource Center, established pursuant to section 10-357a of the general statutes, shall conduct a study regarding the collection, assimilation and reporting on longitudinal student data related to special education outcomes. Such study shall include: (1) An examination of the feasibility of (A) expanding the Preschool through 20 and Workforce Information Network to include the participation of the Department of Developmental Services and the Bureau of Rehabilitation Services, and (B) utilizing the Preschool through 20 and Workforce Information Network to create an annual report regarding data related to students who received special education and who have exited the public school system, including data related to subsequent employment and participation in state programs, at regular intervals over a ten-year period following such students' exit from the public school system, and (2) a projection of the costs related to such expansion of the Preschool through 20 and Workforce Information Network to include the Department of Developmental Services and the Bureau of Rehabilitation Services and creating such annual report. Not later than January 1, 2016, the center shall submit a report on its findings to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 284. (NEW) (Effective July 1, 2015) Not later than July 1, 2016, each regional educational service center shall conduct, in consultation with the Department of Education, a survey of special education services and programs provided in the region serviced by the regional educational service center for the purpose of identifying the need for enhanced or new special education services and programs provided by the regional educational service center. Such survey shall include, but need not be limited to, (1) an inventory of special education services and programs provided by local and regional boards of education and private providers to public school students, (2) the number of students receiving special education services or in special education programs provided by a local or regional board of education or private provider, (3) the total cost incurred by each school district for all such special education services and programs, and (4) the cost incurred by each school district for each such special education service and program. Each regional educational service center shall develop and maintain its own survey procedure and may conduct subsequent surveys as necessary.

Sec. 285. (Effective July 1, 2015) Each regional educational service center shall study the feasibility of such regional educational service center providing and administering new special education services and programs that are of equal or greater quality than those currently provided by local or regional boards of education or private providers in the region serviced by such regional educational service center. The feasibility study shall (1) identify new and current special education services and programs provided by the regional educational service center, (2) take into account (A) the least restrictive

environment for students receiving special education and related services, and (B) the areas of need identified in the survey conducted pursuant to section 284 of this act, (3) include a consideration of the infrastructure, planning, personnel, funding and additional needs required to initiate and maintain special education services and programs provided by the regional educational service center, and (4) include recommendations for sites for future special education services and programs provided by the regional education service center and a timeline for the implementation of such special education services and programs. Not later than October 1, 2016, each regional educational service center shall submit such feasibility study to the State Board of Education and the joint standing committees of the General Assembly having cognizance of matters relating to education and appropriations, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 286. Section 10-17f of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) Annually, the board of education for each local and regional school district shall ascertain, in accordance with regulations adopted by the State Board of Education, the eligible students in such school district and shall classify such students according to their dominant language.

(b) Whenever it is ascertained that there are in any public school within a local or regional school district twenty or more eligible students classified as dominant in any one language other than English, the board of education of such district shall provide a program of bilingual education for such eligible students for the school year next following. Eligible students shall be placed in such program in accordance with subsection (e) of this section.

(c) On or before July 1, 2000, the State Board of Education, within available appropriations, shall develop a state English mastery standard to assess the linguistic and academic progress of students in programs of bilingual education. On and after September 1, 2000, each local and regional board of education shall assess, annually, the progress made by each student toward meeting the state standard. If a student is not making sufficient progress toward meeting the state standard based on the assessment, the local or regional board of education shall provide language support services to the student in consultation with the parent or guardian of the student to allow the student to meet the state standard. Such services may include, but need not be limited to, summer school, after-school assistance and tutoring. If a student meets the state standard based on the assessment, the student shall leave the program. Each local and regional board of education shall document on a student's permanent record the date the student begins in a program of bilingual education and the date and results of the assessments required pursuant to this subsection.

(d) Each local and regional board of education shall limit the time an eligible student spends in a program of bilingual education to thirty months, whether or not such months are consecutive, except that [A>such time period may be extended in accordance with this section and<A] summer school and [A>any<A] two-way language programs [A>established<A] pursuant to subsection (i) of this section shall not be counted. [A>An eligible student may spend up to an additional thirty months in a program of

bilingual education if (1) the local or regional board of education responsible for educating such student requests an extension of such bilingual education for such student to the Department of Education, or (2) the Department of Education makes a determination that an extension of such bilingual education for such student is necessary. The department shall use the standards developed pursuant to section 290 of this act in determining whether to grant a request by a local or regional board of education for an extension of such bilingual education for an eligible student or whether an extension of a bilingual education program for an eligible student is necessary.<A] If an eligible student does not meet the English mastery standard at the end of [A>the initial<A] thirty months [A>or at the end of an extension of the bilingual education program for such student<A] , the local or regional board of education shall provide language transition [A>and academic<A] support services to such student. Such services may include, but need not be limited to, English as a second language programs, sheltered English programs, English immersion programs, [D>tutoring and homework assistance, provided such

services may not include a program of bilingual education<D]
[A>or other

research-based language development programs<A] . Families may also receive guidance from school professionals to help their children make progress in their native language. If an eligible student enrolls in a secondary school when the student has fewer than thirty months remaining before graduation, the local or regional board of education shall assign the student to an English as a second language program and may provide intensive services to the student to enable the student to speak, write and comprehend English by the time the student graduates and to meet the course requirements for graduation.

(e) Each local and regional board of education shall hold a meeting with the parents and legal guardians of eligible students to explain the benefits of the language program options available in the school district, including an English language immersion program [A>, and any native language accommodations that may be available for the mastery examination, administered pursuant to section 10-14n, as amended by this act<A] . The parents and legal guardians may bring an interpreter or an advisor to the meeting. If the parent or legal guardian of an eligible student opts to have such student placed in a program of bilingual education, the local or regional board of education shall place the child in such program.

(f) The board of education for each local and regional school district which is required to provide a program of bilingual education shall initially endeavor to implement the provisions of subsection (b) of this section through in-service training for existing certified professional employees, and thereafter, shall give preference in hiring to such certified professional employees as are required to maintain the program.

(g) The State Board of Education shall adopt regulations, in accordance with the provisions of chapter

54, to establish requirements for: (1) Such programs, which may be modeled after policy established by the Department of Education for bilingual education programs; (2) local and regional boards of education to integrate bilingual and English as a second language program faculty in all staff, planning and curriculum development activities; and (3) all bilingual education teachers employed by a local or regional board of education, on and after July 1, 2001, to meet all certification requirements, including completion of a teacher preparation program approved by the State Board of Education, or to be certified through an alternate route to certification program.

(h) Each board of education for a local and regional school district which is required to provide for the first time a program of bilingual education shall prepare and submit to the Commissioner of Education for review a plan to implement such program, in accordance with regulations adopted by the State Board of Education.

(i) Each local and regional board of education that is required to provide a program of bilingual education pursuant to this section shall investigate the feasibility of establishing two-way language programs starting in kindergarten.

Sec. 287. Section 10-17g of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

[D>Annually<D]

[A>For the fiscal years ending June 30, 2016, and June 30, 2017<A] , the

board of education for each local and regional school district that is required to provide a program of bilingual education, pursuant to section 10-17f, [A>as amended by this act,<A] may make application to the State Board of Education and shall

[D>thereafter<D]

[A>annually<A] receive a grant in an amount equal to the product obtained by multiplying

[D>the total appropriation available for such purpose<D]

[A>one million

nine hundred sixteen thousand one hundred thirty<A] by the ratio which the number of eligible children in the school district bears to the total number of such eligible children state-wide. The board of education for each local and regional school district receiving funds pursuant to this section shall annually, on or before September first, submit to the State Board of Education a progress report which shall include (1) measures of increased educational opportunities for eligible students, including language support services and language transition support services provided to such students, (2) program evaluation and

measures of the effectiveness of its bilingual education and English as a second language programs, including data on students in bilingual education programs and students educated exclusively in English as a second language programs, and (3) certification by the board of education submitting the report that any funds received pursuant to this section have been used for the purposes specified. The State Board of Education shall annually evaluate programs conducted pursuant to section 10-17f [A>, as amended by this act<A] . For purposes of this section, measures of the effectiveness of bilingual education and English as a second language programs include [A>, but need not be limited to,<A] mastery examination results, under section 10-14n, [A>as amended by this act,<A] and graduation and school dropout rates. [A>Any amount appropriated under this section in excess of one million nine hundred sixteen thousand one hundred thirty dollars shall be spent in accordance with the provisions of sections 290, 294 and 297 of this act. Any unexpended funds, as of November first, appropriated to the Department of Education for purposes of providing a grant to a local or regional board of education for the provision of a program of bilingual education, pursuant to section 10-17f, as amended by this act, shall be distributed on a pro rata basis to each local and regional board of education receiving a grant under this section.<A] Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2009, to June

30 ,

[D>2015<D]

[A>2017<A] , inclusive, the amount of grants payable to local or regional

boards of education [A>for the provision of a program of bilingual education<A] under this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for such grants for such year.

Sec. 288. Section 10-17j of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) If a local or regional board of education is not able to hire a sufficient number of certified bilingual education teachers [A>for a school year<A] , the board of

education

[D>may<D]

[A>shall<A] apply to the Commissioner of Education for permission to

use a certified teacher of English as a second language to fill its need and the commissioner may grant such request for good cause shown.

(b) The Department of Education shall promote and encourage teacher exchange programs and provide information to local and regional boards of education on such programs in order to increase foreign language proficiency and cultural understanding.

Sec. 289. (Effective July 1, 2015) The Department of Education shall study the feasibility of using regional educational service centers to assist local and regional boards of education with a low

enrollment of eligible students under subsection (b) of section 10-17f of the general statutes, as amended by this act, in the provision of programs of bilingual education and language transition and academic support services. Such programs and services may include, but need not be limited to, English as second language programs, sheltered English programs, English immersion programs or other research-based language development programs, as described in section 10-17f of the general statutes, as amended by this act. Not later than January 1, 2016, the department shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 290. (NEW) (Effective July 1, 2015) Not later than July 1, 2016, the Department of Education, in consultation with public institutions of higher education, persons with expertise in bilingual education programming and bilingual education teachers, shall develop standards for determining whether an extension of a bilingual education program is necessary for an eligible student, as described in section 10-17f of the general statutes, as amended by this act, following thirty months in such bilingual education program, pursuant to subsection (d) of section 10-17f of the general statutes, as amended by this act.

Sec. 291. (NEW) (Effective July 1, 2015) Not later than July 1, 2016, the Department of Education shall provide information to local and regional boards of education about (1) research-based practices on how to involve parents and legal guardians of eligible students in the language acquisition process, and (2) native language accommodations for students on the state-wide mastery examination, administered pursuant to section 10-14n of the general statutes, as amended by this act.

Sec. 292. Subsection (a) of section 10-220a of the general statutes, as amended by section 3 of public act 15-97, section 10 of public act 15-108 and section 1 of public act 15-232, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) Each local or regional board of education shall provide an in-service training program for its teachers, administrators and pupil personnel who hold the initial educator, provisional educator or professional educator certificate. Such program shall provide such teachers, administrators and pupil personnel with information on (1) the nature and the relationship of drugs, as defined in subdivision (17) of section 21a-240, and alcohol to health and personality development, and procedures for discouraging their abuse, (2) health and mental health risk reduction education that includes, but need not be limited to, the prevention of risk-taking behavior by children and the relationship of such behavior to substance abuse, pregnancy, sexually transmitted diseases, including HIV-infection and AIDS, as defined in section 19a-581, violence, teen dating violence, domestic violence, child abuse and youth suicide, (3) the growth and development of exceptional children, including handicapped and gifted and talented children and children who may require special education, including, but not limited to, children with attention-deficit hyperactivity disorder or learning disabilities, and methods for identifying, planning for and working effectively with special needs children in a regular classroom, including, but not limited to, implementation of student individualized education programs, (4) school violence prevention, conflict

resolution, the prevention of and response to youth suicide and the identification and prevention of and response to bullying, as defined in subsection (a) of section 10-222d, except that those boards of education that implement any evidence-based model approach that is approved by the Department of Education and is consistent with subsection (d) of section 10-145a, sections 10-222d, 10-222g and 10-222h, subsection (g) of section 10-233c and sections 1 and 3 of public act 08-160, shall not be required to provide in-service training on the identification and prevention of and response to bullying, (5) cardiopulmonary resuscitation and other emergency life saving procedures, (6) computer and other information technology as applied to student learning and classroom instruction, communications and data management, (7) the teaching of the language arts, reading and reading readiness for teachers in grades kindergarten to three, inclusive, (8) second language acquisition in districts required to provide a program of bilingual education pursuant to section 10-17f, [A>as amended by this act,<A] (9) the requirements and obligations of a mandated reporter, (10) the teacher evaluation and support program adopted pursuant to subsection (b) of section 10-151b, (11) the detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia, as defined in section 1 of [D>this act<D]

[A>public act 15-97<A] , and (12) cultural competency, consistent with the training in cultural competency described in subsection (i) of section 10-145a, as amended by

[D>this act<D]

[A>public act 15-108<A] . Each local and regional board of education may

allow any paraprofessional or noncertified employee to participate, on a voluntary basis, in any in-service training program provided pursuant to this section. The State Board of Education, within available appropriations and utilizing available materials, shall assist and encourage local and regional boards of education to include: (A) Holocaust and genocide education and awareness; (B) the historical events surrounding the Great Famine in Ireland; (C) African-American history; (D) Puerto Rican history; (E) Native American history; (F) personal financial management; (G) domestic violence and teen dating violence; (H) mental health first aid training; (I) trauma-informed practices for the school setting to enable teachers, administrators and pupil personnel to more adequately respond to students with mental, emotional or behavioral health needs; [A>(J) second language acquisition, including, but not limited to, language development and culturally

responsive pedagogy;<A] and

[D>(J)<D]

[A>(K)<A] topics approved by the state board upon the

request of local or regional boards of education as part of in-service training programs pursuant to this

subsection.

Sec. 293. (NEW) (Effective July 1, 2015) The Department of Education shall annually collect and disaggregate student data on the mastery examination, conducted pursuant to section 10-14n of the general statutes, as amended by this act, for students in bilingual education programs for the purposes of monitoring (1) the academic progress of students in bilingual education programs, and (2) the quality of bilingual education programs offered by local and regional boards of education. Not later than July 1, 2016, and annually thereafter, the Department of Education shall submit a report on its findings regarding such student data to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 294. (Effective July 1, 2015) (a) For the school years commencing July 1, 2015, and July 1, 2016, the Department of Education, in consultation with public institutions of higher education and persons with expertise in language acquisition, shall administer an English language learner pilot program. The department shall select the following participants for inclusion in the pilot program: (1) The three school districts with the highest total number of English language learner students, and (2) the school district with the highest percentage of English language learner students to total student population. Participants in the pilot program shall develop language acquisition plans for English language learner students that (A) are research-based, (B) are developed in consultation with the department, public institutions of higher education or persons with expertise in language acquisition, and (C) take into consideration such things as the size of the school district or region, the characteristics of the English language learner student population, the geography and demography of the school district or region, the number of bilingual education teachers and the native languages of the student population. The regional educational service center that serves the region in which each participant is located shall provide administrative support to such participant in the implementation of the pilot program.

(b) The Department of Education shall contract with an independent evaluator from an institution of higher education or a professional evaluator with expertise in language acquisition to evaluate the English language learner pilot program. Not later than October 1, 2017, such evaluation shall be submitted to the Department of Education and the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 295. Section 10-14n of the general statutes, as amended by section 3 of public act 15-238, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) As used in this section, "mastery examination" means (1) for students enrolled in grades three to eight, inclusive, an examination or examinations, approved by the State Board of Education, that measures essential and grade-appropriate skills in reading, writing or mathematics, (2) for students enrolled in grades five, eight and ten, an examination, approved by the State Board of Education, that measures essential and grade-appropriate skills in science, and (3) for students enrolled in grade

eleven, a nationally recognized college readiness assessment, approved by the State Board of Education, that measures essential and grade-appropriate skills in reading, writing and mathematics.

(b) (1) For the school year commencing July 1, 2015, and each school year thereafter, each student enrolled in grades three to eight, inclusive, and grade eleven in any public school shall, annually, take a mastery examination in reading, writing and mathematics during the regular school day.

(2) For the school year commencing July 1, 2013, and each school year thereafter, each student enrolled in grades five, eight and ten in any public school shall, annually, in March or April, take a state-wide mastery examination in science during the regular school day.

(c) (1) Mastery examinations, as defined in subdivision (1) of subsection (a) of this section, given to students enrolled in grades three to eight, inclusive, pursuant to subdivision (1) of subsection (b) of this section, shall be provided by and administered under the supervision of the State Board of Education.

(2) Mastery examinations, as defined in subdivision (2) of subsection (a) of this section, given to students enrolled in grades five, eight and ten, pursuant to subdivision (2) of subsection (b) of this section, shall be provided by and administered under the supervision of the State Board of Education.

(3) Mastery examinations, as defined in subdivision (3) of subsection (a) of this section, given to students enrolled in grade eleven, pursuant to subdivision (1) of subsection (b) of this section, shall be paid for by the State Board of Education and administered by the provider of such nationally recognized college readiness assessment in accordance with the provisions of the agreement between

the state board and such provider, pursuant to section 2 of

[D>this act<D]

[A>public act

15-238<A] .

(d) The scores on each component of the mastery examination, as defined in subdivision (3) of subsection (a) of this section, for each eleventh grade student may be included on the permanent record and transcript of each such student who takes such examination. For each eleventh grade student who meets or exceeds the state-wide mastery goal level on any component of the mastery examination, a certification of having met or exceeded such goal level shall be made on the permanent record and the transcript of each such student and such student shall be issued a certificate of mastery for such component.

(e) No public school may require achievement of a satisfactory score on a mastery examination, or any subsequent retest on a component of such examination as the sole criterion of promotion or graduation.

[A>(f) (1) For the school year commencing July 1, 2015, and each school year thereafter, the scores on each component of the mastery examination for students who are English language learners, as defined in section 10-76kk, and who have been enrolled in a school in this state or another state for fewer than

twenty school months, shall not be used for purposes of calculating the school performance index, pursuant to section 10-223e, or the district performance index, pursuant to section 10-262u, as amended by this act.<A]

[A>(2) For the school year commencing July 1, 2015, and each school year thereafter, mastery examinations pursuant to subsection (b) of this section shall be offered in the most common native language of students who are English language learners taking such mastery examinations and any additional native languages of such students when mastery examinations in such native languages are developed and have been approved by the United States Department of Education.<A]

Sec. 296. Subsection (d) of section 10-262u of the general statutes, as amended by section 8 of public act 15-108, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(d) The local or regional board of education for a town designated as an alliance district may apply to the Commissioner of Education, at such time and in such manner as the commissioner prescribes, to receive any increase in funds received over the amount the town received for the prior fiscal year pursuant to subsection (a) of section 10-262i. Applications pursuant to this subsection shall include objectives and performance targets and a plan that may include, but not be limited to, the following: (1) A tiered system of interventions for the schools under the jurisdiction of such board based on the needs of such schools, (2) ways to strengthen the foundational programs in reading, through the intensive reading instruction program pursuant to section 10-14u, to ensure reading mastery in kindergarten to grade three, inclusive, with a focus on standards and instruction, proper use of data, intervention strategies, current information for teachers, parental engagement, and teacher professional development, (3) additional learning time, including extended school day or school year programming administered by school personnel or external partners, (4) a talent strategy that includes, but is not limited to, teacher and school leader recruitment and assignment, career ladder policies that draw upon guidelines for a model teacher evaluation program adopted by the State Board of Education, pursuant to section 10-151b, [A>as amended by this act,<A] and adopted by each local or regional board of education. Such talent strategy may include provisions that demonstrate increased ability to attract, retain, promote and bolster the performance of staff in accordance with performance evaluation findings and, in the case of new personnel, other indicators of effectiveness, (5) training for school leaders and other staff on new teacher evaluation models, (6) provisions for the cooperation and coordination with early childhood education providers to ensure alignment with district expectations for student entry into kindergarten, including funding for an existing local Head Start program, (7) provisions for the cooperation and coordination with other governmental and community programs to ensure that students receive adequate support and wraparound services, including community school models, (8) provisions for implementing and furthering state-wide education standards adopted by the State Board of Education and all activities and initiatives associated with such standards, (9) strategies for attracting and recruiting minority teachers and administrators, [A>(10) provisions for the enhancement of bilingual education programs, pursuant to section 10-17f, as amended by this act, or other language acquisition services to English language learners, including, but not limited to, participation in the English language learner pilot program, established pursuant to section 294 of this act,<A] and [D>(10)<D] [A>(11)<A] any additional categories

or goals as determined by the commissioner. Such plan shall demonstrate collaboration with key stakeholders, as identified by the commissioner, with the goal of achieving efficiencies and the alignment of intent and practice of current programs with conditional programs identified in this subsection. The commissioner may (A) require changes in any plan submitted by a local or regional board of education before the commissioner approves an application under this subsection, and (B) permit a local or regional board of education, as part of such plan, to use a portion of any funds received under this section for the purposes of paying tuition charged to such board pursuant to subdivision (1) of subsection (k) of section 10-264 l or subsection (b) of section 10-264o.

Sec. 297. (NEW) (Effective July 1, 2015) Not later than July 1, 2016, each regional educational service center shall conduct a survey of English language learner services and bilingual education programs provided in the region serviced by the regional educational service center for the purpose of identifying the need for enhanced or new English language learner services and bilingual education programs provided by the regional educational service center. Such survey shall include, but need not be limited to, (1) an inventory of English language learner services and bilingual education programs provided by local and regional boards of education to public school students, (2) the number of students receiving English language learner services or enrolled in bilingual education programs provided by a local or regional board of education, and (3) the total cost incurred by each school district for all such English language learner services and bilingual education programs and the cost incurred by each school district for each such English language learner service and bilingual education program. Each regional educational service center shall develop and maintain its own survey procedure and may conduct subsequent surveys as necessary.

Sec. 298. (Effective July 1, 2015) Each regional educational service center shall study the feasibility of such regional educational service center providing and administering new English language learner services and bilingual education programs that are of equal or greater quality than those currently provided by local or regional boards of education in the region serviced by such regional educational service center. The feasibility study shall (1) identify new and current English language learner services and bilingual education programs provided by the regional educational service center, (2) take into account the areas of need identified in the survey conducted pursuant to section 297 of this act, (3) include a consideration of the infrastructure, planning, personnel, funding and additional needs required to initiate and maintain English language learner services and bilingual education programs provided by the regional educational service center, and (4) include recommendations for sites for future English language learner services and bilingual education programs provided by the regional education service center and a timeline for the implementation of such English language learner services and bilingual education programs. Not later than October 1, 2016, each regional educational service center shall submit such feasibility study to the State Board of Education and the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 299. Subsection (a) of section 2 of public act 15-237 is repealed and the following is substituted in lieu thereof (Effective upon the effective date of section 2 of public act 15-237):

(a) There is established a task force to study the following issues related to the high school graduation requirements, described in section 10-221a of the general

statutes, as amended by

[D>this act<D]

[A>public act 15-237<A] : (1) The alignment of the

changes to the high school graduation requirements commencing with classes graduating in 2021, pursuant to subsection (c) of section 10-221a of the general

statutes, as amended by

[D>this act<D]

[A>public act 15-237<A] , with the Common Core State

Standards, adopted by the State Board of Education on July 7, 2010, pursuant to section 10-4 of the general statutes, [D>and<D] (2) the feasibility of including training in cardiopulmonary resuscitation as part of the high school graduation requirements [A>, and (3) the feasibility of substituting a student's participation in an interscholastic athletic program for the physical education credit to satisfy the high school graduation requirements<A] .

Sec. 300. (NEW) (Effective July 1, 2015) (a) On and after July 1, 2015, the Commissioner of Education shall submit any application for a federal waiver of the Elementary and Secondary Education Act of 1965, 20 USC 6301, et seq. , as amended from time to time, to the joint standing committee of the General Assembly having cognizance of matters relating to education prior to the submission of any such application to the federal government. Not later than thirty days after the date of its receipt of such application, said joint standing committee shall hold a public hearing on the waiver application. At the conclusion of a public hearing held in accordance with the provisions of this section, said joint standing committee shall advise the commissioner of its recommendations, if any, with regards to the commissioner's waiver application.

(b) If in developing the budget for the Department of Education for the next fiscal year, the commissioner contemplates applying for a federal waiver to the federal government, the commissioner shall notify the joint standing committee of the General Assembly having cognizance of matters relating to education of the possibility of such application.

(c) Prior to submission of an application for a waiver from said Elementary and Secondary Education Act of 1965 to the joint standing committee of the General Assembly having cognizance of matters relating to education under subsection (a) of this section, the commissioner shall publish a notice that the commissioner intends to seek such a waiver to the federal government in the Connecticut Law Journal, along with a summary of the provisions of the waiver application and the manner in which individuals may submit comments. The commissioner shall allow fifteen days for written comments on the waiver application prior to submission of the application for a waiver to the joint standing committee of the

General Assembly having cognizance of matters relating to education under subsection (a) of this section and shall include all written comments with the waiver application submitted to said joint standing committee.

(d) The commissioner shall include with any waiver application submitted to the federal government pursuant to this section: (1) Any written comments received pursuant to subsection (c) of this section; and (2) the recommendations of the joint standing committee of the General Assembly having cognizance of matters relating to education issued pursuant to subsection (a) of this section, including any additional written comments submitted to said joint standing committee at such proceedings. Said joint standing committee shall transmit any such materials to the commissioner for inclusion with any such waiver application.

Sec. 301. (NEW) (Effective July 1, 2015) (a) Not later than September 15, 2015, the Commissioner of Education shall develop a process to invite innovation waiver requests from local and regional boards of education for waivers of the provisions of title 10 of the general statutes over which the State Board of Education has jurisdiction, or any regulation adopted by the state board, except a local or regional board of education shall not request or be granted a waiver of the provisions of chapters 169 and 172 of the general statutes, part I of chapter 166 of the general statutes, sections 10-14n to 10-14w, to sections 10-14n to 10-14w, inclusive, 10-15, 10-16, 10-16b, 10-76d, as amended by this act, 10-186, 10-221a, 10-223e, as amended by this act, 10-226a to 10-226h, inclusive, 10-233c and 10-281 of the general statutes or any requirement of federal law. Any such innovation waiver request shall be made in a manner and form prescribed by the commissioner and shall demonstrate (1) how the granting of an innovation waiver would stimulate innovation or improve administration of school district operations or student academic performance, (2) that the local or regional board of education can address the intent of the statute or regulation for which an innovation waiver is being sought in a more effective, efficient or economical manner, and (3) how the granting of an innovation waiver would ensure the protection of sound educational practices, the health and safety of students and school personnel, and equal opportunities for learning.

(b) The commissioner shall review each innovation waiver request and may recommend approval of up to ten innovation waivers. The commissioner shall submit to the State Board of Education a report that includes the innovation waiver requests for which the commissioner is recommending approval and the goals or benchmarks of success for such requests to the State Board of Education.

(c) (1) The State Board of Education shall review the report submitted by the commissioner pursuant to subsection (b) of this section and make a written recommendation for approval or rejection of each innovation waiver request. Such written recommendation shall include an explanation of the reasons why the state board is suggesting approval or rejection of such innovation waiver request. In considering whether to approve or reject an innovation waiver request under this subsection, the state board may (A) recommend approval of such request if the state board determines that such request sufficiently demonstrates (i) how the granting of an innovation waiver would stimulate innovation or improve administration of school district operations or student academic performance, and (ii) that the local or

regional board of education submitting such request can address the intent of the statute or regulation for which an innovation waiver is being sought in a more effective, efficient or economical manner, or (B) recommend rejection of an innovation waiver request if such request is not based on sound educational practices, endangers the health or safety of students or school personnel, or compromises equal opportunities for learning.

(2) The state board shall compile its recommendations for approval of innovation waiver requests into a report and, not later than March fifteenth of each school year, submit such report to the General Assembly, in accordance with the provisions of section 11-4a of the general statutes.

(3) The state board shall compile its recommendations for rejection of innovation waiver requests into a report and, not later than March fifteenth of each school year, submit such report to the General Assembly, in accordance with the provisions of section 11-4a of the general statutes.

(d) Not later than thirty days following receipt of the report submitted by the State Board of Education, pursuant to subdivision (2) of subsection (c) of this section, the General Assembly may, by joint resolution, disapprove any recommendations of the state board for approval of an innovation waiver request. If the General Assembly fails to disapprove such recommendations, in whole or in part, within such thirty-day period, such recommendations shall be deemed approved and the innovation waiver request shall be deemed granted.

(e) The commissioner shall notify the local or regional board of education whether a submitted innovation waiver request was granted or rejected. If an innovation waiver is granted, the commissioner shall prescribe the period of time that such innovation waiver shall be valid, provided such term is not more than two school years.

(f) A local or regional board of education may seek an innovation waiver renewal in the manner and form prescribed by the commissioner. Any innovation waiver renewal request shall include how the implementation of the original innovation waiver has been successful in achieving the goals or benchmarks established by the commissioner pursuant to subsection (b) of this section. An innovation waiver renewal may be granted in accordance with the provisions of subsections (c) and (d) of this section and, if granted, shall be valid for up to two school years. A local or regional board of education shall not be granted an innovation waiver renewal more than one time.

(g) The commissioner may revoke an innovation waiver or an innovation waiver renewal if the commissioner finds that the implementation of such innovation waiver or innovation waiver renewal is not a sound educational practice, endangers health or safety of students or school personnel, or compromises equal opportunities for learning.

(h) In recommending approval of innovation requests and innovation waiver renewal requests under this section, the commissioner and state board shall ensure that not more than twenty innovation waivers or innovation waiver renewals are in effect at any one time.

(i) Any local or regional board of education granted an innovation waiver or innovation waiver renewal under this section shall (1) submit to the State Board of Education (A) annual progress reports relating to the implementation of the innovation waiver or innovation waiver renewal, and (B) a final report relating to the results of such innovation waiver or innovation waiver renewal, including whether such innovation waiver or innovation waiver renewal has achieved the goals or benchmarks established by the commissioner, at the conclusion of the innovation waiver or the innovation waiver renewal, (2) make such results available on the Internet web site of such local or regional board, (3) share, upon request, such results with other local or regional boards of education, and (4) if such innovation waiver or innovation waiver renewal is successful, provide instruction and training, upon request, to other local and regional boards of education regarding the implementation of such innovation waiver or innovation waiver renewal.

(j) Not later than March 15, 2018, and annually thereafter, the commissioner shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the General Assembly containing any recommendations for legislation and a description of the process developed pursuant to subsection (a) of this section.

Sec. 302. (Effective July 1, 2015) (a) On or before August 1, 2015, the Commissioner of Education shall appoint a receiver for the school district for the town of Winchester. Such receiver shall be the chief executive officer of said school district and shall be vested with the duties, rights and responsibilities of the board of education for the town of Winchester, as prescribed in chapter 170 of the general statutes and as otherwise established in any provision of law, except as provided in this section and sections 303 to 305, inclusive, of this act. The receiver shall report to and serve at the pleasure of the commissioner and shall be retained and compensated by the Department of Education.

(b) All contracts and agreements, including collective bargaining agreements, made in the name of the board of education for the town of Winchester shall be assigned to the receiver, who shall be deemed the successor party in interest and deemed to be in privity of contract for all lawful purposes. In addition to those duties, rights and responsibilities otherwise prescribed by law, the receiver shall: (1) Be responsible for all aspects of school district governance and management; (2) develop the budget for the school district and deliver the same to the town manager for the town of Winchester in accordance with the town charter for the town of Winchester; (3) provide a mechanism for parent, teacher and community involvement in the schools; (4) supervise and direct the day-to-day operations of the school district and school district staff and employees, including the superintendent and all school administrators, and shall have the power to reprimand, suspend or terminate all such staff, employees and administrators consistent with any applicable collective bargaining agreements or employment contracts; (5) review and analyze the fiscal practices of the school district and implement improvements to such practices, if necessary; (6) identify and apply for any grants for which the school district may be eligible; and (7) report to the commissioner as soon as practicable any evidence of criminal or fraudulent activity discovered.

(c) The receiver shall provide the commissioner with periodic reports on the receiver's activities, the

financial condition of the school district, recommendations on further state involvement in the operation of the school district, including amendments to this section and sections 303 to 305, inclusive, of this act, and any other information required by the commissioner. Such reports shall be provided on a timeframe and in such form as prescribed by the commissioner. The commissioner shall provide copies of all such reports to the State Board of Education and the board of education for the town of Winchester.

(d) The receiver may be provided additional responsibilities by the commissioner not inconsistent with this section and sections 303 to 305, inclusive, of this act.

(e) The receiver's term shall expire two years from the date of the receiver's appointment pursuant to subsection (a) of this section, except the State Board of Education may extend the term of the receiver for a period not to exceed two additional years.

(f) The receiver may, upon approval of the commissioner, retain up to two other persons to assist the receiver in the exercise of the receiver's duties. Such persons shall report to, and serve at the pleasure of, the receiver and be retained and compensated by the Department of Education.

Sec. 303. (Effective July 1, 2015) There shall be a board of advisors for the school district for the town of Winchester. The board shall have seven members appointed by the Commissioner of Education who shall serve at the pleasure of the commissioner. Not fewer than three of the members of the board shall be residents of the town of Winchester. No employee of the town of Winchester or the school district for the town of Winchester and no immediate family, as defined in subdivision (6) of section 1-79 of the general statutes, of such employee shall be eligible to serve on the board. The board shall provide advice to the receiver in the performance of his or her duties and responsibilities, as described in section 302 of this act.

Sec. 304. (Effective July 1, 2015) (a) Notwithstanding section 10-263 of the general statutes, the commissioner shall enter into a repayment agreement with the town of Winchester or the school district for the town of Winchester, as applicable, for reimbursement of any overpayments made by the state pursuant to section 10-76g of the general statutes during the fiscal years ending June 30, 2013, to June 30, 2015, inclusive. Such agreement shall be documented in writing providing the first payment, or adjustment to future payments by the department, shall be received or debited, on or before April 30, 2016, and that the balance shall be satisfied on or before April 30, 2020.

(b) The town of Winchester may apply for a waiver of repayment as specified in subsection (a) of this section, if the town demonstrates significant improvement in the fiscal and financial practices of its school district, that structural changes have been implemented to ensure the school district is properly handling taxpayer funds, and satisfies such other criteria as required by the commissioner. Such application shall be in a form prescribed by the commissioner. Any such waiver submitted pursuant to this subsection may be approved only by majority vote of the State Board of Education and upon the recommendation of the commissioner.

Sec. 305. (Effective July 1, 2015) For the school years commencing July 1, 2016, to July 1, 2018,

inclusive, notwithstanding the provisions of section 10-223h of the general statutes, as amended by this act, relating to the application and selection of schools for participation in the commissioner's network of schools, the schools under the jurisdiction of the school district for the town of Winchester shall participate in the commissioner's network of schools and otherwise comply with the provisions of section 10-223h of the general statutes, as amended by this act.

Sec. 306. Section 10-266p of the general statutes is amended by adding subsection (j) as follows (Effective July 1, 2015):

(NEW) (j) Notwithstanding the provisions of this section, for the fiscal year ending June 30, 2016, and each fiscal year thereafter, the amount of the grants payable to local or regional boards of education in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this section for such year.

Sec. 307. Section 10-264 l of the general statutes, as amended by section 3 of public act 15-63, section 2 of public act 15-143, section 1 of public act 15-177 and section 9 of public act 15-215, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The Department of Education shall, within available appropriations, establish a grant program (1) to assist (A) local and regional boards of education, (B) regional educational service centers, (C) the Board of Trustees of the Community-Technical Colleges on behalf of Quinebaug Valley Community College and Three Rivers Community College, and (D) cooperative arrangements pursuant to section 10-158a, and (2) in assisting the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the Commissioner of Education, to assist (A) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (B) the Board of Trustees of the Connecticut State University System on behalf of a state university, (C) the Board of Trustees of The University of Connecticut on behalf of the university, (D) the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, and (E) any other third-party not-for-profit corporation approved by the commissioner with the operation of interdistrict magnet school programs. All interdistrict magnet schools shall be operated in conformance with the same laws and regulations applicable to public schools. For the purposes of this section "an interdistrict magnet school program" means a program which (i) supports racial, ethnic and economic diversity, (ii) offers a special and high quality curriculum, and (iii) requires students who are enrolled to attend at least half-time. An interdistrict magnet school program does not include a regional agricultural science and technology school, a technical high school or a regional special education center. On and after July 1, 2000, the governing authority for each interdistrict magnet school program that is in operation prior to July 1, 2005, shall restrict the number of students that may enroll in the program from a participating district to eighty per cent of the total enrollment of the program. The governing authority for each interdistrict magnet school program that begins operations on or after July 1, 2005, shall restrict the number of students that may enroll in the program from a

participating district to seventy-five per cent of the total enrollment of the program, and maintain such a school enrollment that at least twenty-five per cent but not more than seventy-five per cent of the students enrolled are pupils of racial minorities, as defined in section 10-226a. The governing authority of an interdistrict magnet school that the commissioner determines will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] shall restrict the number of students that may enroll in the program from a participating district in accordance with the provisions of this subsection, provided such enrollment is in accordance with the reduced-isolation setting standards of such 2013 stipulation and order.

(b) (1) Applications for interdistrict magnet school program operating grants awarded pursuant to this section shall be submitted annually to the Commissioner of Education at such time and in such manner as the commissioner prescribes, except that on and after July 1, 2009, applications for such operating grants for new interdistrict magnet schools, other than those that the commissioner determines will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] shall not be accepted until the commissioner develops a comprehensive state-wide interdistrict magnet school plan. The commissioner shall submit such comprehensive state-wide interdistrict magnet school plan on or before October 1, 2016, to the joint standing [D>committee<D] [A>committees<A] of the General Assembly having cognizance of matters relating to education [A>and appropriations<A] .

(2) In determining whether an application shall be approved and funds awarded pursuant to this section, the commissioner shall consider, but such consideration shall not be limited to: (A) Whether the program offered by the school is likely to increase student achievement; (B) whether the program is likely to reduce racial, ethnic and economic isolation; (C) the percentage of the student enrollment in the program from each participating district; and (D) the proposed operating budget and the sources of funding for the interdistrict magnet school. For a magnet school not operated by a local or regional board of education, the commissioner shall only approve a proposed operating budget that, on a per pupil basis, does not exceed the maximum allowable threshold established in accordance with this subdivision. The maximum allowable threshold shall be an amount equal to one hundred twenty per cent of the state average of the quotient obtained by dividing net current expenditures, as defined in section 10-261, by average daily membership, as defined in said section, for the fiscal year two years prior to the fiscal year for which the operating grant is requested. The Department of Education shall establish the maximum allowable threshold no later than December fifteenth of the fiscal year prior to the fiscal year for which the operating grant is requested. If requested by an applicant that is not a local or regional board of education, the commissioner may approve a proposed operating budget that exceeds the maximum allowable threshold if the commissioner determines that there are extraordinary programmatic needs. In the case of an interdistrict magnet school that will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as

determined by the commissioner, the commissioner shall also consider whether the school is meeting the reduced-isolation setting standards set forth in such 2013 stipulation and order. If such school has not met the reduced-isolation setting standards prescribed in such 2013 stipulation and order, it shall not be entitled to receive a grant pursuant to this section unless the commissioner finds that it is appropriate to award a grant for an additional year or years for purposes of compliance with such 2013 stipulation and order. If requested by the commissioner, the applicant shall meet with the commissioner or the commissioner's designee to discuss the budget and sources of funding.

(3) Except as provided in this section, section

[D>197<D]

[A>116<A] of public act

[D> 11-48<D]

[A>14-217<A] and the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] the commissioner shall not award a grant to (A) a program that is in operation prior to July 1, 2005, if more than eighty per cent of its total enrollment is from one school district, except that the commissioner may award a grant for good cause, for any one year, on behalf of an otherwise eligible magnet school program, if more than eighty per cent of the total enrollment is from one district, and (B) a program that begins operations on or after July 1, 2005, if more than seventy-five per cent of its total enrollment is from one school district or if less than twenty-five or more than seventy-five per cent of the students enrolled are pupils of racial minorities, as defined in section 10-226a, except that the commissioner may award a grant for good cause, for one year, on behalf of an otherwise eligible interdistrict magnet school program, if more than seventy-five per cent of the total enrollment is from one district or less than twenty-five or more than seventy-five per cent of the students enrolled are pupils of racial minorities. The commissioner may not award grants pursuant to the exceptions described in subparagraphs (A) and (B) of this subdivision for an additional consecutive year or years, except as provided for in

section

[D>197<D]

[A>116<A] of public act

[D>11-48<D]

[A>14-217<A] , the 2008 stipulation for Milo

Sheff, et al. v. William A. O'Neill, et al. , as extended, or the 2013 stipulation

and order for Milo Sheff, et al. v. William A. O'Neill, et al. ,

[A>as extended,<A] as

determined by the commissioner.

(c) (1) The maximum amount each interdistrict magnet school program, except those described in

subparagraphs (A) to (G), inclusive, of subdivision (3) of this subsection, shall be eligible to receive per enrolled student who is not a resident of the town operating the magnet school shall be (A) six thousand sixteen dollars for the fiscal year ending June 30, 2008, (B) six thousand seven hundred thirty dollars for the fiscal years ending June 30, 2009, to June 30, 2012, inclusive, and (C) seven thousand eighty-five dollars for the fiscal year ending June 30, 2013, and each fiscal year thereafter. The per pupil grant for each enrolled student who is a resident of the town operating the magnet school program shall be three thousand dollars for the fiscal year ending June 30, 2008, and each fiscal year thereafter.

(2) For the fiscal year ending June 30, 2003, and each fiscal year thereafter, the commissioner may, within available appropriations, provide supplemental grants for the purposes of enhancing educational programs in such interdistrict magnet schools, as the commissioner determines. Such grants shall be made after the commissioner has conducted a comprehensive financial review and approved the total operating budget for such schools, including all revenue and expenditure estimates.

(3) (A) Except as otherwise provided in subparagraphs (C) to (G), inclusive, of this subdivision, each interdistrict magnet school operated by a regional educational service center that enrolls less than fifty-five per cent of the school's students from a single town shall receive a per pupil grant in the amount of (i) six thousand two hundred fifty dollars for the fiscal year ending June 30, 2006, (ii) six thousand five hundred dollars for the fiscal year ending June 30, 2007, (iii) seven thousand sixty dollars for the fiscal year ending June 30, 2008, (iv) seven thousand six hundred twenty dollars for the fiscal years ending June 30, 2009, to June 30, 2012, inclusive, and (v) seven thousand nine hundred dollars for the fiscal year ending June 30, 2013, and each fiscal year thereafter.

(B) Except as otherwise provided in subparagraphs (C) to (G), inclusive, of this subdivision, each interdistrict magnet school operated by a regional educational service center that enrolls at least fifty-five per cent of the school's students from a single town shall receive a per pupil grant for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent of the school's students in the amount of (i) six thousand sixteen dollars for the fiscal year ending June 30, 2008, (ii) six thousand seven hundred thirty dollars for the fiscal years ending June 30, 2009, to June 30, 2012, inclusive, and (iii) seven thousand eighty-five dollars for the fiscal year ending June 30, 2013, and each fiscal year thereafter. The per pupil grant for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent of the school's students shall be three thousand dollars.

(C) For the fiscal year ending June 30, 2015, and each fiscal year thereafter, each interdistrict magnet school operated by a regional educational service center that began operations for the school year commencing July 1, 2001, and that for the school year commencing July 1, 2008, enrolled at least fifty-five per cent, but no more than eighty per cent of the school's students from a single town shall receive a per pupil grant (i) for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent, but no more than eighty per cent of the school's students, up to an amount equal to the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of eight thousand one hundred eighty dollars, (ii) for each enrolled student who is a resident of the district that enrolls at least fifty-five per cent, but not more than eighty per cent of the school's students, in an

amount greater than the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of three thousand dollars, (iii) for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent, but no more than eighty per cent of the school's students, up to an amount equal to the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of eight thousand one hundred eighty dollars, and (iv) for each enrolled student who is not a resident of the district that enrolls at least fifty-five per cent, but not more than eighty per cent of the school's students, in an amount greater than the total number of such enrolled students as of October 1, 2013, using the data of record, in the amount of seven thousand eighty-five dollars.

(D)

[D>Each<D]

[A>(i)<A] Except as otherwise provided in subparagraph (D)(ii) of this subparagraph, each<A] interdistrict magnet school operated by

[D>(i)<D]

[A>(I)<A] a regional educational service center,

[D>(ii)<D]

[A>(II)<A] the Board of Trustees of the

Community-Technical Colleges on behalf of a regional community-technical college,

[D>(iii)<D]

[A>(III)<A] the Board of Trustees of the Connecticut State University System on behalf of a state university,

[D>(iv)<D]

[A>(IV)<A] the Board of Trustees for The University of Connecticut on behalf of the university,

[D>(v)<D]

[A>(V)<A] the board of

governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, except as otherwise provided in

subparagraph (E) of this subdivision,

[D>(vi)<D]

[A>(VI)<A] cooperative arrangements pursuant to section 10-158a,

[D>(vii)<D]

[A>(VII)<A] any other third-party not-for-profit corporation approved by the commissioner, and

[D>(viii)<D]

[A>(VIII)<A] the Hartford school

district for the operation of Great Path Academy on behalf of Manchester Community College, that enrolls less than sixty per cent of its students from Hartford pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] shall receive a per pupil grant in the amount of [D>(I)<D] nine thousand six hundred ninety-five dollars for the fiscal year ending June 30, 2010, and [D>(II)<D] ten thousand four hundred forty-three

dollars for the fiscal years ending June 30, 2011, to June 30,

[D>2015<D]

[A>2017<A] ,

inclusive.

[A>(ii) For the fiscal year ending June 30, 2016, and each fiscal year thereafter, any interdistrict magnet school described in subparagraph (D)(i) of this subparagraph that enrolls less than fifty per cent of its incoming students from Hartford shall receive a per pupil grant in the amount of seven thousand nine hundred dollars for one-half of the total number of non-Hartford students enrolled in the school over fifty per cent of the total school enrollment and shall receive a per pupil grant in the amount of ten thousand four hundred forty-three dollars for the remainder of the total school enrollment.<A]

(E) [D>Each<D] [A>For the fiscal year ending June 30, 2015, and each fiscal year thereafter, each<A] interdistrict magnet school operated by the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, that (i) began operations for the school year commencing July 1, 2014, (ii) enrolls less than sixty per cent of its students from Hartford pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] and (iii) enrolls students [D>on a trimester basis<D] [A>at least half-time<A] , shall [A>be eligible to<A] receive a per pupil grant [A>(I) equal to sixty-five per cent of the grant amount determined pursuant to subparagraph (D) of this subdivision<A] for each student who is enrolled at such school for at least two [D>of the three trimesters in the amount of ten thousand four hundred forty-three dollars for the fiscal year ending June 30, 2015<D] [A>semesters in each school year, and (II) equal to thirty-two and one-half per cent of the grant amount determined pursuant to subparagraph (D) of this subdivision for each student who is enrolled at such school for one semester in each school year<A] .

(F) Each interdistrict magnet school operated by a local or regional board of education, pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , shall receive a per pupil grant for each enrolled student who is not a resident of the district in the amount of (i) twelve thousand dollars for

the fiscal year ending June 30, 2010, and (ii) thirteen thousand fifty-four dollars for the fiscal years ending June 30, 2011, to

June 30,

[D>2015<D]

[A>2017<A] , inclusive.

(G) In addition to the grants described in subparagraph (E) of this subdivision, for the fiscal year ending June 30, 2010, the commissioner may, subject to the approval of the Secretary of the Office of Policy and Management and the Finance Advisory Committee, established pursuant to section 4-93, provide supplemental grants to the Hartford school district of up to one thousand fifty-four dollars for each student enrolled at an interdistrict magnet school operated by the Hartford school district who is not a resident of such district.

[A>(H) For the fiscal year ending June 30, 2016, and each fiscal year thereafter, the half-day Greater Hartford Academy of the Arts interdistrict magnet school operated by the Capital Region Education Council shall be eligible to receive a per pupil grant equal to sixty-five per cent of the per pupil grant specified in subparagraph (A) of this subdivision.<A]

[A>(I) For the fiscal years ending June 30, 2016, to June 30, 2018, inclusive, the half-day Greater Hartford Academy of Mathematics and Science interdistrict magnet school operated by the Capitol Region Education Council shall be eligible to receive a per pupil grant equal to six thousand seven hundred eighty-seven dollars for (i) students enrolled in grades ten to twelve, inclusive, for the fiscal year ending June 30, 2016, (ii) students enrolled in grades eleven and twelve for the fiscal year ending June 30, 2017, and (iii) students enrolled in grade twelve for the fiscal year ending June 30, 2018. For the fiscal year ending June 30, 2016, and each fiscal year thereafter, the half-day Greater Hartford Academy of Mathematics and Science interdistrict magnet school shall not be eligible for any additional grants pursuant to subsection (c) of this section.<A]

(4) The amounts of the grants determined pursuant to this subsection shall be proportionately adjusted, if necessary, within available appropriations, and in no case shall any grant pursuant to this section exceed the reasonable operating budget of the interdistrict magnet school program, less revenues from other sources. For the fiscal [D>year<D] [A>years<A] ending June 30, 2015, [A>to June 30, 2017, inclusive,<A] the department may limit payment to an interdistrict magnet school operator to an amount equal to the grant that such magnet school operator was eligible to receive based on the enrollment level of the interdistrict magnet school program on October 1, 2013. Approval of funding for enrollment above such enrollment level shall be prioritized by the department as follows: (A) Increases in enrollment in an interdistrict magnet school program that is adding planned new grade levels [D>; (B)<D] [A>for the school years commencing July 1, 2015, and July 1, 2016; (B) increases in enrollment in an interdistrict magnet school program that added planned new grade levels for the school year commencing July 1, 2014, and was funded during the fiscal year ending June 30, 2015; (C)<A] increases in enrollment in an interdistrict magnet school program that is moving into a permanent facility for the school [D>year<D]

[A>years<A] commencing July 1, 2014 [A>,<A] [D>; (C)<D] [A>to July 1, 2016, inclusive; (D)<A] increases in enrollment in an interdistrict magnet school program to ensure compliance with subsection (a) of this section; and [D>(D)<D] [A>(E)<A] new enrollments for a new interdistrict magnet school program commencing operations on or after July 1, 2014, pursuant to the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. [A>, as extended.<A] Any interdistrict magnet school program operating less than full-time, but at least half-time, shall be eligible to receive a grant equal to sixty-five per cent of the grant amount determined pursuant to this subsection.

(5) Within available appropriations, the commissioner may make grants to the following entities that operate an interdistrict magnet school that assists the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the commissioner and that provide academic support programs and summer school educational programs approved by the commissioner to students participating in such interdistrict magnet school program: (A) Regional educational service centers, (B) local and regional boards of education, (C) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (D) the Board of Trustees of the Connecticut State University System on behalf of a state university, (E) the Board of Trustees for The University of Connecticut on behalf of the university, (F) the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, (G) cooperative arrangements pursuant to section 10-158a, and (H) any other third-party not-for-profit corporation approved by the commissioner.

(6) Within available appropriations, the Commissioner of Education may make grants, in an amount not to exceed seventy-five thousand dollars, for start-up costs associated with the development of new interdistrict magnet school programs that assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the commissioner, to the following entities that develop such a program: (A) Regional educational service centers, (B) local and regional boards of education, (C) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (D) the Board of Trustees of the Connecticut State University System on behalf of a state university, (E) the Board of Trustees for The University of Connecticut on behalf of the university, (F) the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, (G) cooperative arrangements pursuant to section 10-158a, and (H) any other third-party not-for-profit corporation approved by the commissioner.

(d) (1) Grants made pursuant to this section, except those made pursuant to subdivision (6) of subsection (c) of this section and subdivision (2) of this subsection, shall be paid as follows: Seventy per cent not later than September first and the balance not later than May first of each fiscal year. The May first payment shall be adjusted to reflect actual interdistrict magnet school program enrollment as of the

preceding October first using the data of record as of the intervening March first, if the actual level of enrollment is lower than the projected enrollment stated in the approved grant application. The May first payment shall be further adjusted for the difference between the total grant received by the magnet school operator in the prior fiscal year and the revised total grant amount calculated for the prior fiscal year in cases where the aggregate financial audit submitted by the interdistrict magnet school operator pursuant to subdivision (1) of subsection (n) of this section indicates an overpayment by the department.

(2) For the fiscal year ending June 30,

[D>2015<D]

[A>2016<A] , and each fiscal year

thereafter, grants made pursuant to subparagraph (E) of subdivision (3) of

subsection (c) of this section shall be paid as follows:

[D>Thirty<D]

[A>Fifty<A] per cent of the amount not later than

[D>August<D]

[A>September<A] first based on estimated student

enrollment [D>on July first, thirty per cent of the amount not later than October

first based on estimated student enrollment<D]

[A>for the first semester<A] on September first, and

[D>the balance<D]

[A>another fifty per cent<A] not later than May first of each

fiscal year [A>based on actual student enrollment for the second semester on February first<A] . The May first payment shall be adjusted to reflect actual interdistrict magnet school program enrollment for those students who have been

enrolled at such school for at least two

[D>of three trimesters<D]

[A>semesters<A] of the

school year, using the data of record [A>, and actual student enrollment for those students who have been enrolled at such school for only one semester, using data of record<A] . The May first payment shall be further adjusted for the difference between the total grant received by the magnet school operator in the prior fiscal year and the revised total grant amount calculated for the prior fiscal year where the financial audit submitted by the interdistrict magnet school operator pursuant to subdivision (1) of subsection (n) of this section indicates an overpayment by the department.

(e) The Department of Education may retain up to one-half of one per cent of the amount appropriated, in an amount not to exceed five hundred thousand dollars, for purposes of this section for program evaluation and administration.

(f) Each local or regional school district in which an interdistrict magnet school is located shall provide the same kind of transportation to its children enrolled in such interdistrict magnet school as it provides to its children enrolled in other public schools in such local or regional school district. The parent or guardian of a child denied the transportation services required to be provided pursuant to this subsection may appeal such denial in the manner provided in sections 10-186 and 10-187.

(g) On or before October fifteenth of each year, the Commissioner of Education shall determine if interdistrict magnet school enrollment is below the number of students for which funds were appropriated. If the commissioner determines that the enrollment is below such number, the additional funds shall not lapse but shall be used by the commissioner for grants for interdistrict cooperative programs pursuant to section 10-74d.

(h) In the case of a student identified as requiring special education, the school district in which the student resides shall: (1) Hold the planning and placement team meeting for such student and shall invite representatives from the interdistrict magnet school to participate in such meeting; and (2) pay the interdistrict magnet school an amount equal to the difference between the reasonable cost of educating such student and the sum of the amount received by the interdistrict magnet school for such student pursuant to subsection (c) of this section and amounts received from other state, federal, local or private sources calculated on a per pupil basis. Such school district shall be eligible for reimbursement pursuant to section 10-76g. If a student requiring special education attends an interdistrict magnet school on a full-time basis, such interdistrict magnet school shall be responsible for ensuring that such student receives the services mandated by the student's individualized education program whether such services are provided by the interdistrict magnet school or by the school district in which the student resides.

(i) Nothing in this section shall be construed to prohibit the enrollment of nonpublic school students in an interdistrict magnet school program that operates less than full-time, provided (1) such students constitute no more than five per cent of the full-time equivalent enrollment in such magnet school program, and (2) such students are not counted for purposes of determining the amount of grants pursuant to this section and section 10-264i.

(j) After accommodating students from participating districts in accordance with an approved enrollment agreement, an interdistrict magnet school operator that has unused student capacity may enroll directly into its program any interested student. A student from a district that is not participating in an interdistrict magnet school or the interdistrict student attendance program pursuant to section 10-266aa to an extent determined by the Commissioner of Education shall be given preference. The local or regional board of education otherwise responsible for educating such student shall contribute funds to support the operation of the interdistrict magnet school in an amount equal to the per student tuition, if any, charged

to participating districts.

(k) (1) For the fiscal year ending June 30, 2014, and each fiscal year thereafter, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school or any tuition charged by the Hartford school district operating the Great Path Academy on behalf of Manchester Community College for any student enrolled in kindergarten to grade twelve, inclusive, in such interdistrict magnet school shall be in an amount equal to the difference between (A) the average per pupil expenditure of the magnet school for the prior fiscal year, and (B) the amount of any per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources calculated on a per pupil basis. If any such board of education fails to pay such tuition, the commissioner may withhold from such board's town or towns a sum payable under section 10-262i in an amount not to exceed the amount of the unpaid tuition to the magnet school and pay such money to the fiscal agent for the magnet school as a supplementary grant for the operation of the interdistrict magnet school program. In no case shall the sum of such tuitions exceed the difference between (i) the total expenditures of the magnet school for the prior fiscal year, and (ii) the total per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources. The commissioner may conduct a comprehensive financial review of the operating budget of a magnet school to verify such tuition rate.

(2) (A) For the fiscal years ending June 30, 2013, and June 30, 2014, a regional educational service center operating an interdistrict magnet school offering a preschool program that is not located in the Sheff region may charge tuition to the Department of Education for a child enrolled in such preschool program in an amount not to exceed an amount equal to the difference between (i) the average per pupil expenditure of the preschool program offered at the magnet school for the prior fiscal year, and (ii) the amount of any per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources calculated on a per pupil basis. The commissioner may conduct a comprehensive financial review of the operating budget of any such magnet school charging such tuition to verify such tuition rate. For purposes of this subdivision, "Sheff region" means the school districts for the towns of Avon, Bloomfield, Canton, East Granby, East Hartford, East Windsor, Ellington, Farmington, Glastonbury, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, Vernon, West Hartford, Wethersfield, Windsor and Windsor Locks.

(B) For the fiscal year ending June 30, 2015, ~~[D] and each fiscal year thereafter, <D]~~ a regional educational service center operating an interdistrict magnet school offering a preschool program that is not located in the Sheff region may charge tuition to the parent or guardian of a child enrolled in such preschool program in an amount that is in accordance with the sliding tuition scale adopted by the State Board of Education pursuant to section 10-264p ~~[A], as amended by this act<A]~~. The Department of Education shall be financially responsible for any unpaid portion of the tuition not charged to such parent or guardian under such sliding tuition scale. Such tuition shall not exceed an amount equal to the difference between (i) the average per pupil expenditure of the preschool program offered at the magnet school for the prior fiscal year, and (ii) the amount of any per pupil state subsidy calculated under subsection (c) of this section plus any revenue from other sources calculated on a per pupil basis. The

commissioner may conduct a comprehensive financial review of the operating budget of any such magnet school charging such tuition to verify such tuition rate.

[A>(C) For the fiscal year ending June 30, 2016, and each fiscal year thereafter, a regional educational service center operating an interdistrict magnet school offering a preschool program that is not located in the Sheff region shall charge tuition to the parent or guardian of a child enrolled in such preschool program in an amount up to four thousand fifty-three dollars, except such regional educational service center shall not charge tuition to such parent or guardian with a family income at or below seventy-five per cent of the state median income. The Department of Education shall, within available appropriations, be financially responsible for any unpaid tuition charged to such parent or guardian with a family income at or below seventy-five per cent of the state median income. The commissioner may conduct a comprehensive financial review of the operating budget of any such magnet school charging such tuition to verify such tuition rate.<A]

(l) A participating district shall provide opportunities for its students to attend an interdistrict magnet school in a number that is at least equal to the number specified in any written agreement with an interdistrict magnet school operator or in a number that is at least equal to the average number of students that the participating district enrolled in such magnet school during the previous three school years.

(m) (1) On or before May 15, 2010, and annually thereafter, each interdistrict magnet school operator shall provide written notification to any school district that is otherwise responsible for educating a student who resides in such school district and will be enrolled in an interdistrict magnet school under the operator's control for the following school year. Such notification shall include the number of any such students, by grade, who will be enrolled in an interdistrict magnet school under the control of such operator, the name of the school in which such student has been placed and the amount of tuition to be charged to the local or regional board of education for such student. Such notification shall represent an estimate of the number of students expected to attend such interdistrict magnet schools in the following school year, but shall not be deemed to limit the number of students who may enroll in such interdistrict magnet schools for such year.

(2) Not later than two weeks following an enrollment lottery for an interdistrict magnet school conducted by a magnet school operator, the parent or guardian of a student (A) who will enroll in such interdistrict magnet school in the following school year, or (B) whose name has been placed on a waiting list for enrollment in such interdistrict magnet school for the following school year, shall provide written notification of such prospective enrollment or waiting list placement to the school district in which such student resides and is otherwise responsible for educating such student.

(n) (1) Each interdistrict magnet school operator shall annually file with the Commissioner of Education, at such time and in such manner as the commissioner prescribes, (A) a financial audit for each interdistrict magnet school operated by such operator, and (B) an aggregate financial audit for all of the interdistrict magnet schools operated by such operator.

(2) Annually, the commissioner shall randomly select one interdistrict magnet school operated by a regional educational service center to be subject to a comprehensive financial audit conducted by an auditor selected by the commissioner. The regional educational service center shall be responsible for all costs associated with the audit conducted pursuant to the provisions of this subdivision.

(o) For the school years commencing July 1, 2009, to July 1, [D>2014<D] [A>2016<A] ,

inclusive, any local or regional board of education operating an interdistrict magnet school pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William O'Neill, et al. , as extended, or the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] shall not charge tuition for any student enrolled in a preschool program or in kindergarten to grade twelve, inclusive, in an interdistrict magnet school operated by such school district, except the Hartford school district may charge tuition for any student enrolled in the Great Path Academy.

[A>(p) For the fiscal years ending June 30, 2016, and June 30, 2017, if the East Hartford school district has greater than seven per cent of its resident students, as defined in section 10-262f, enrolled in an interdistrict magnet school program, then the board of education for the town of East Hartford shall not be financially responsible for four thousand four hundred dollars of the portion of the per student tuition charged for each such student in excess of such seven per cent. The Department of Education shall, within available appropriations, be financially responsible for such excess per student tuition. Notwithstanding the provisions of this subsection, for the fiscal years ending June 30, 2016, and June 30, 2017, the amount of the grants payable to the board of education for the town of East Hartford in accordance with this subsection shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for purposes of this subsection.<A]

Sec. 308. Section 10-266ee of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) For the fiscal year ending June 30, 2015, [D>and each fiscal year thereafter,<D] the Department of Education shall award, within available appropriations, a grant in an amount not to exceed two hundred fifty thousand dollars to the Hartford school district for program development and expansion of the Dr. Joseph S. Renzulli Gifted and Talented Academy to assist the state in meeting the goals of the 2013 stipulation for Milo Sheff, et al. v. William O'Neill, et al. Application for such grant funds awarded pursuant to this section shall be submitted [D>annually<D] to the Commissioner of Education at such time and in such manner as the commissioner prescribes.

(b) For the school year commencing July 1, 2014, [D>and each school year thereafter,<D] any student who is not a resident of the Hartford school district may apply for enrollment in the Dr. Joseph S. Renzulli Gifted and Talented Academy, provided such student is eligible for enrollment under the school's admissions policies. Any such student enrolled in the Dr. Joseph S. Renzulli Gifted and Talented

Academy shall be so enrolled as a participant in the interdistrict public school attendance program pursuant to section 10-266aa.

(c) Grants awarded under this section shall supplement other grant awards to which the Dr. Joseph S. Renzulli Gifted and Talented Academy is entitled and shall not reduce such academy's eligibility for any other grant that such academy may be entitled to receive.

Sec. 309. Subsection (a) of section 10-266dd of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) For purposes of this section, "Sheff Lighthouse School" has the same meaning as "Lighthouse Schools", as defined in the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. [A>, as extended.<A]

Sec. 310. Subdivision (1) of subsection (a) of section 10-264i of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) (1) (A) A local or regional board of education, (B) a regional educational service center, (C) the Board of Trustees of the Community-Technical Colleges on behalf of Quinebaug Valley Community College and Three Rivers Community College, (D) a cooperative arrangement pursuant to section 10-158a, or (E) to assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended.<A] as determined by the Commissioner of Education, (i) the Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (ii) the Board of Trustees of the Connecticut State University System on behalf of a state university, (iii) the Board of Trustees for The University of Connecticut on behalf of the university, (iv) the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, and (v) any other third-party not-for-profit corporation approved by the commissioner which transports a child to an interdistrict magnet school program, as defined in section 10-264 l, in a town other than the town in which the child resides shall be eligible pursuant to section 10-264e to receive a grant for the cost of transporting such child in accordance with this section.

Sec. 311. Subdivision (3) of subsection (a) of section 10-264i of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(3) For districts assisting the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended.<A] as determined by the commissioner, (i) for the fiscal year ending June 30, 2010, the amount of such grant shall not exceed an amount equal to the number of such children transported multiplied by one thousand four hundred dollars, and (ii) for the fiscal years ending June 30, 2011, to June

30,

[D>2015<D]

[A>2017<A] , inclusive, the amount of such grant shall not exceed an amount

equal to the number of such children transported multiplied by two thousand dollars.

Sec. 312. Subsection (a) of section 10-264h of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) For the fiscal year ending June 30, 2012, and each fiscal year thereafter, a local or regional board of education, a regional educational service center, a cooperative arrangement pursuant to section 10-158a, or any of the following entities that operate an interdistrict magnet school that assists the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the Commissioner of Education: (1) The Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (2) the Board of Trustees of the Connecticut State University System on behalf of a state university, (3) the Board of Trustees for The University of Connecticut on behalf of the university, (4) the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, and (5) any other third-party not-for-profit corporation approved by the Commissioner of Education, may be eligible for reimbursement, except as otherwise provided for, up to eighty per cent of the eligible cost of any capital expenditure for the purchase, construction, extension, replacement, leasing or major alteration of interdistrict magnet school facilities, including any expenditure for the purchase of equipment, in accordance with this section. To be eligible for reimbursement under this section a magnet school construction project shall meet the requirements for a school building project established in chapter 173, except that the Commissioner of Administrative Services, in consultation with the Commissioner of Education, may waive any requirement in said chapter for good cause. On and after July 1, 2011, the Commissioner of Administrative Services shall approve only applications for reimbursement under this section that the Commissioner of Education finds will reduce racial, ethnic and economic isolation. Applications for reimbursement under this section for the construction of new interdistrict magnet schools shall not be accepted until the Commissioner of Education develops a comprehensive state-wide interdistrict magnet school plan, in accordance with the provisions of subdivision (1) of subsection (b) of section 10-264 I, unless the Commissioner of Education determines that such construction will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. [A>, as extended.<A]

Sec. 313. (Effective July 1, 2015) (a) Notwithstanding the provisions of sections 10-285a and 10-264h of the general statutes or any regulation adopted by the State Board of Education or the Department of

Administrative Services concerning the reimbursement rate for the construction of interdistrict magnet schools, the Capitol Region Education Council may use ninety-five per cent as the reimbursement rate for the construction of an interdistrict magnet facility on behalf of the town of Hartford for the Montessori Magnet at Moylan School, Hartford Prekindergarten Magnet School and Betances STEM Magnet School for the fiscal year beginning July 1, 2016, subject to a written contract between the town of Hartford and the Capitol Region Education Council, as approved by the Commissioner of Education, that outlines the roles, responsibilities, timelines and performance expectations for each party to the contract. The town of Hartford shall remain responsible for the local share of eligible project costs and any ineligible project costs for each project authorized in this section and shall file the notice of authorization of funding for the local share of the project costs for each project before authorization of any payment of the state share of eligible costs as required by section 10-287i of the general statutes and chapter 173 of the general statutes.

(b) Notwithstanding the provisions of subsection (a) of this section and sections 10-285a and 10-264h of the general statutes or any regulation adopted by the State Board of Education or the Department of Administrative Services concerning the reimbursement rate for the construction of interdistrict magnet schools, the town of Hartford may use ninety-five per cent as the reimbursement rate for the construction of an interdistrict magnet facility for the Montessori Magnet at Moylan School, Hartford Prekindergarten Magnet School and Betances STEM Magnet School for the fiscal year beginning July 1, 2016, for any such school that it does not partner with the Capitol Region Education Council for the construction of said facility pursuant to subsection (a) of this section.

Sec. 314. Subsections (a) to (c), inclusive, of section 10-264o of the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) Notwithstanding any provision of this chapter, interdistrict magnet schools that begin operations on or after July 1, 2008, pursuant to the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the Commissioner of Education, may operate without district participation agreements and enroll students from any district through a lottery designated by the commissioner.

(b) For the fiscal year ending June 30, 2013, and each fiscal year thereafter, any tuition charged to a local or regional board of education by a regional educational service center operating an interdistrict magnet school assisting the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the Commissioner of Education, for any student enrolled in kindergarten to grade twelve, inclusive, in such interdistrict magnet school shall be in an amount equal to the difference between (1) the average per pupil expenditure of the magnet school for the prior fiscal year, and (2) the amount of any per pupil state subsidy calculated under subsection (c) of section 10-264 l plus any revenue from other sources calculated on a per pupil basis. If any such board of education fails to pay such tuition, the commissioner may withhold from such

board's town or towns a sum payable under section 10-262i in an amount not to exceed the amount of the unpaid tuition to the magnet school and pay such money to the fiscal agent for the magnet school as a supplementary grant for the operation of the interdistrict magnet school program. In no case shall the sum of such tuitions exceed the difference between (A) the total expenditures of the magnet school for the prior fiscal year, and (B) the total per pupil state subsidy calculated under subsection (c) of section 10-264 I plus any revenue from other sources. The commissioner may conduct a comprehensive review of the operating budget of a magnet school to verify such tuition rate.

(c) (1) For the fiscal year ending June 30, 2013, a regional educational service center operating an interdistrict magnet school assisting the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the Commissioner of Education, and offering a preschool program shall not charge tuition for a child enrolled in such preschool program.

(2) For the fiscal year ending June 30, 2014, a regional educational service center operating an interdistrict magnet school assisting the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the Commissioner of Education, and offering a preschool program may charge tuition to the Department of Education for a child enrolled in such preschool program in an amount not to exceed an amount equal to the difference between (A) the average per pupil expenditure of the preschool program offered at the magnet school for the prior fiscal year, and (B) the amount of any per pupil state subsidy calculated under subsection (c) of section 10-264 I plus any revenue from other sources calculated on a per pupil basis. The commissioner may conduct a comprehensive review of the operating budget of any such magnet school charging such tuition to verify such tuition rate.

(3) For the fiscal year ending June 30, 2015, [D>and each fiscal year thereafter,<D] a regional educational service center operating an interdistrict magnet school assisting the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the Commissioner of Education, and offering a preschool program may charge tuition to the parent or guardian of a child enrolled in such preschool program in an amount that is in accordance with the sliding tuition scale adopted by the State Board of Education pursuant to section 10-264p [A>, as amended by this act<A] . The Department of Education shall be financially responsible for any unpaid portion of the tuition not charged to such parent or guardian under such sliding tuition scale. Such tuition shall not exceed an amount equal to the difference between (A) the average per pupil expenditure of the preschool program offered at the magnet school for the prior fiscal year, and (B) the amount of any per pupil state subsidy calculated under subsection (c) of section 10-264 I plus any revenue from other sources calculated on a per pupil basis. The commissioner may conduct a comprehensive review of the operating budget of any such magnet school charging such tuition to verify such tuition rate.

[A>(4) For the fiscal year ending June 30, 2016, and each fiscal year thereafter, a regional educational service center operating an interdistrict magnet school assisting the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, as determined by the Commissioner of Education, and offering a preschool program shall charge tuition to the parent or guardian of a child enrolled in such preschool program in an amount up to four thousand fifty-three dollars, except such regional educational service center shall not charge tuition to such parent or guardian with a family income at or below seventy-five per cent of the state median income. The Department of Education shall, within available appropriations, be financially responsible for any unpaid tuition charged to such parent or guardian with a family income at or below seventy-five per cent of the state median income. The commissioner may conduct a comprehensive financial review of the operating budget of any such magnet school charging such tuition to verify such tuition rate.<A]

Sec. 315. Subsection (l) of section 10-66ee of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(l) Within available appropriations, the state may provide a grant in an amount not to exceed seventy-five thousand dollars to any newly approved state charter school that assists the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the Commissioner of Education, for start-up costs associated with the new charter school program.

Sec. 316. Section 10-262s of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

The Commissioner of Education may, to assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] transfer funds appropriated for the Sheff settlement to the following: (1) Grants for interdistrict cooperative programs pursuant to section 10-74d, (2) grants for state charter schools pursuant to section 10-66ee, (3) grants for the interdistrict public school attendance program pursuant to section 10-266aa, (4) grants for interdistrict magnet schools pursuant to section 10-264 l, and (5) to technical high schools for programming.

Sec. 317. Subdivision (5) of subsection (a) of section 10-266m of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(5) Notwithstanding the provisions of this section, the Commissioner of Education may provide grants, within available appropriations, in an amount not to exceed two thousand dollars per pupil, to local and regional boards of education and regional educational service centers that transport (A) out-of-district students to technical high schools located in Hartford, or (B) Hartford students attending a technical high

school or a regional agricultural science and technology education center outside of the district, to assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the commissioner, for the costs associated with such transportation.

Sec. 318. Subsection (o) of section 10-266aa of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(o) Within available appropriations, the commissioner may make grants for academic student support for programs pursuant to this section that assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the commissioner.

Sec. 319. Subdivisions (1) and (2) of subsection (a) of section 10-283 of the general statutes, as amended by section 2 of public act 15-63, are repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) (1) Each town or regional school district shall be eligible to apply for and accept grants for a school building project as provided in this chapter. Any town desiring a grant for a public school building project may, by vote of its legislative body, authorize the board of education of such town to apply to the Commissioner of Administrative Services and to accept or reject such grant for the town. Any regional school board may vote to authorize the supervising agent of the regional school district to apply to the Commissioner of Administrative Services for and to accept or reject such grant for the district. Applications for such grants under this chapter shall be made by the superintendent of schools of such town or regional school district on the form provided and in the manner prescribed by the Commissioner of Administrative Services. The application form shall require the superintendent of schools to affirm that the school district considered the maximization of natural light, the use and feasibility of wireless connectivity technology and, on and after July 1, 2014, the school safety infrastructure standards, developed by the School Safety Infrastructure Council, pursuant to section 10-292r, in projects for new construction and alteration or renovation of a school building. The Commissioner of Administrative Services shall review each grant application for a school building project for compliance with educational requirements and on the basis of categories for building projects established by the Commissioner of Administrative Services in accordance with this section. The Commissioner of Education shall evaluate, if appropriate, whether the project will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. [A>, as extended.<A] The Commissioner of Administrative Services shall consult with the Commissioner of Education in reviewing grant applications submitted for purposes of subsection (a) of section 10-65 or section 10-76e on the basis of the educational needs of the applicant. The Commissioner of Administrative Services shall review each grant application for a school building project for compliance with standards for school building projects

pursuant to regulations, adopted in accordance with section 10-287c, and, on and after July 1, 2014, the school safety infrastructure standards, developed by the School Safety Infrastructure Council pursuant to section 10-292r. Notwithstanding the provisions of this chapter, the Board of Trustees of the Community-Technical Colleges on behalf of Quinebaug Valley Community College and Three Rivers Community College and the following entities that will operate an interdistrict magnet school that will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] as determined by the Commissioner of Education, may apply for and shall be eligible to receive grants for school building projects pursuant to section 10-264h for such a school: (A) The Board of Trustees of the Community-Technical Colleges on behalf of a regional community-technical college, (B) the Board of Trustees of the Connecticut State University System on behalf of a state university, (C) the Board of Trustees for The University of Connecticut on behalf of the university, (D) the board of governors for an independent institution of higher education, as defined in subsection (a) of section 10a-173, or the equivalent of such a board, on behalf of the independent institution of higher education, (E) cooperative arrangements pursuant to section 10-158a, and (F) any other third-party not-for-profit corporation approved by the Commissioner of Education.

(2) The Commissioner of Education shall assign each school building project to a category on the basis of whether such project is primarily required to: (A) Create new facilities or alter existing facilities to provide for mandatory instructional programs pursuant to this chapter, for physical education facilities in compliance with Title IX of the Elementary and Secondary Education Act of 1972 where such programs or such compliance cannot be provided within existing facilities or for the correction of code violations which cannot be reasonably addressed within existing program space; (B) create new facilities or alter existing facilities to enhance mandatory instructional programs pursuant to this chapter or provide comparable facilities among schools to all students at the same grade level or levels within the school district unless such project is otherwise explicitly included in another category pursuant to this section; and (C) create new facilities or alter existing facilities to provide supportive services, provided in no event shall such supportive services include swimming pools, auditoriums, outdoor athletic facilities, tennis courts, elementary school playgrounds, site improvement or garages or storage, parking or general recreation areas. All applications submitted prior to July first shall be reviewed promptly by the Commissioner of Administrative Services. The Commissioner of Administrative Services shall estimate the amount of the grant for which such project is eligible, in accordance with the provisions of section 10-285a, provided an application for a school building project determined by the Commissioner of Education to be a project that will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , [A>as extended,<A] shall have until September first to submit an application for such a project and may have until December first of the same year to secure and report all local and state approvals required to complete the grant application. The Commissioner of Administrative Services shall annually prepare a listing of all such eligible school building projects listed by category together with the amount of the estimated grants for such projects and shall submit the same to the Governor, the Secretary of the Office of Policy and Management and

the General Assembly on or before the fifteenth day of December, except as provided in section 10-283a, with a request for authorization to enter into grant commitments. On or before December thirty-first annually, the Secretary of the Office of Policy and Management shall submit comments and recommendations regarding each eligible project on such listing of eligible school building projects to the school construction committee, established pursuant to section 10-283a. Each such listing submitted after December 15, 2005, until December 15, 2010, inclusive, shall include a separate schedule of authorized projects which have changed in scope or cost to a degree determined by the Commissioner of Education once, and a separate schedule of authorized projects which have changed in scope or cost to a degree determined by said commissioner twice. Any such listing submitted after December 15, 2010, until December 15, 2011, inclusive, shall include a separate schedule of authorized projects which have changed in scope or cost to a degree determined by the Commissioner of Administrative Services once, and a separate schedule of authorized projects which have changed in scope or cost to a degree determined by said commissioner twice. For the period beginning July 1, 2011, and ending December 31, 2013, each such listing shall include a report on the review conducted by the Commissioner of Education of the enrollment projections for each such eligible project. On and after January 1, 2014, each such listing shall include a report on the review conducted by the Commissioner of Administrative Services of the enrollment projections for each such eligible project. For the period beginning July 1, 2006, and ending June 30, 2012, no project, other than a project for a technical high school, may appear on the separate schedule of authorized projects which have changed in cost more than twice. On and after July 1, 2012, no project, other than a project for a technical high school, may appear on the separate schedule of authorized projects which have changed in cost more than once, except the Commissioner of Administrative Services may allow a project to appear on such separate schedule of authorized projects a second time if the town or regional school district for such project can demonstrate that exigent circumstances require such project to appear a second time on such separate schedule of authorized projects. Notwithstanding any provision of this chapter, no projects which have changed in scope or cost to the degree determined by the Commissioner of Administrative Services, in consultation with the Commissioner of Education, shall be eligible for reimbursement under this chapter unless it appears on such list. The percentage determined pursuant to section 10-285a at the time a school building project on such schedule was originally authorized shall be used for purposes of the grant for such project. On and after July 1, 2006, a project that was not previously authorized as an interdistrict magnet school shall not receive a higher percentage for reimbursement than that determined pursuant to section 10-285a at the time a school building project on such schedule was originally authorized. The General Assembly shall annually authorize the Commissioner of Administrative Services to enter into grant commitments on behalf of the state in accordance with the commissioner's categorized listing for such projects as the General Assembly shall determine. The Commissioner of Administrative Services may not enter into any such grant commitments except pursuant to such legislative authorization. Any regional school district which assumes the responsibility for completion of a public school building project shall be eligible for a grant pursuant to subdivision (5) or (6), as the case may be, of subsection (a) of section 10-286 when such project is completed and accepted by such regional school district.

Sec. 320. Subsection (c) of section 10-283 of the general statutes is repealed and the following is

substituted in lieu thereof (Effective July 1, 2015):

(c) No school building project shall be added to the list prepared by the Commissioner of Administrative Services pursuant to subsection (a) of this section after such list is submitted to the committee of the General Assembly appointed pursuant to section 10-283a unless (1) the project is for a school placed on probation by the New England Association of Schools and Colleges and the project is necessary to preserve accreditation, (2) the project is necessary to replace a school building for which a state agency issued a written notice of its intent to take the school property for public purpose, (3) it is a school building project determined by the Commissioner of Education to be a project that will assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. [A>, as extended.<A] The provisions of this subsection shall not apply to projects previously authorized by the General Assembly that require special legislation to correct procedural deficiencies.

Sec. 321. Section 10-264p of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

For the fiscal year ending June 30, 2015, [~~D~~>and each fiscal year thereafter,<D] the Department of Education, in consultation with the Department of Social Services, shall develop a sliding tuition scale based on family income to be used in the calculation of the amount that a regional educational service center operating an interdistrict magnet school offering a preschool program may charge for tuition to the parent or guardian of a child enrolled in such preschool program pursuant to section 10-264 l or 10-264o [A>, as amended by this act<A] .

Sec. 322. (NEW) (Effective July 1, 2015) Notwithstanding subdivision (3) of subsection (b) of section 10-264 l of the general statutes, an interdistrict magnet school program that (1) does not assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. , as extended, as determined by the Commissioner of Education, and (2) is not in compliance with the enrollment requirements for students of racial minorities, pursuant to section 10-264 l of the general statutes, following the submission of student information data of such interdistrict magnet school program to the state-wide public school information system, pursuant to section 10-10a of the general statutes, on or before October 1, 2015, shall remain eligible for an interdistrict magnet school operating grant pursuant to section 10-264 l of the general statutes, if such interdistrict magnet school program submits a compliance plan to the Commissioner of Education and the commissioner approves such plan.

Sec. 323. Section 5-198 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

The offices and positions filled by the following-described incumbents shall be exempt from the classified service:

- (1) All officers and employees of the Judicial Department;
- (2) All officers and employees of the Legislative Department;
- (3) All officers elected by popular vote;
- (4) All agency heads, members of boards and commissions and other officers appointed by the Governor;
- (5) All persons designated by name in any special act to hold any state office;
- (6) All officers, noncommissioned officers and enlisted men in the military or naval service of the state and under military or naval discipline and control;
- (7) (A) All correctional wardens, as provided in section 18-82, and (B) all superintendents of state institutions, the State Librarian, the president of The University of Connecticut and any other commissioner or administrative head of a state department or institution who is appointed by a board or commission responsible by statute for the administration of such department or institution;
- (8) The State Historian appointed by the State Library Board;
- (9) Deputies to the administrative head of each department or institution designated by statute to act for and perform all of the duties of such administrative head during such administrative head's absence or incapacity;
- (10) Executive assistants to each state elective officer and each department head, as defined in section 4-5, provided (A) each position of executive assistant shall have been created in accordance with section 5-214, and (B) in no event shall the Commissioner of Administrative Services or the Secretary of the Office of Policy and Management approve more than four executive assistants for a department head;
- (11) One personal secretary to the administrative head and to each undersecretary or deputy to such head of each department or institution;
- (12) All members of the professional and technical staffs of the constituent units of the state system of higher education, as defined in section 10a-1, of all other state institutions of learning, of the Board of Regents for Higher Education, and of the agricultural experiment station at New Haven, professional and managerial employees of the Department of Education [A>and the Office of Early Childhood<A] and teachers certified by the State Board of Education and employed in teaching positions at state institutions;
- (13) Physicians, dentists, student nurses in institutions and other professional specialists who are employed on a part-time basis;
- (14) Persons employed to make or conduct a special inquiry, investigation, examination or installation;

- (15) Students in educational institutions who are employed on a part-time basis;
- (16) Forest fire wardens provided for by section 23-36;
- (17) Patients or inmates of state institutions who receive compensation for services rendered therein;
- (18) Employees of the Governor including employees working at the executive office, official executive residence at 990 Prospect Avenue, Hartford and the Washington D. C. office;
- (19) Persons filling positions expressly exempted by statute from the classified service;
- (20) Librarians employed by the State Board of Education or any constituent unit of the state system of higher education;
- (21) All officers and employees of the Division of Criminal Justice;
- (22) Professional employees in the education professions bargaining unit of the Department of Rehabilitation Services;
- (23) Lieutenant colonels in the Division of State Police within the Department of Emergency Services and Public Protection;
- (24) The Deputy State Fire Marshal within the Department of Administrative Services;
- (25) The chief administrative officer of the Workers' Compensation Commission;
- (26) Employees in the education professions bargaining unit;
- (27) Disability policy specialists employed by the Council on Developmental Disabilities; and
- (28) The director for digital media and motion picture activities in the Department of Economic and Community Development.

Sec. 324. Subdivision (1) of subsection (b) of section 10-16q of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(b) (1) For the fiscal year ending June 30, 2015, and each fiscal year thereafter, the per child cost of the Office of Early Childhood school readiness program

offered by a school readiness provider shall not exceed eight thousand

[D>six<D]

[A>nine<A]hundred

[D>seventy<D]

[A>twenty-seven<A] dollars.

Sec. 325. Section 10-16n of the general statutes is repealed and the following is substituted in lieu

thereof (Effective July 1, 2015):

(a) The Commissioner of Early Childhood shall establish a competitive grant program to assist nonprofit agencies and local and regional boards of education, which are federal Head Start grantees, in (1) establishing extended-day and full-day, year-round, Head Start programs or expanding existing Head Start programs to extended-day or full-day, year-round programs, (2) enhancing program quality, [D>and<D] (3) increasing the number of children served [A>in programs that are both a Head Start program and Early Head Start grantee or delegate, (4) increasing the number of Early Head Start children served above those who are federally funded, and (5) increasing the hours for children currently receiving Early Head Start services<A] . The commissioner, after consultation with the committee established pursuant to subsection (c) of this section, shall establish criteria for the grants, provided at least twenty-five per cent of the funding for such grants shall be for the purpose of enhancing program quality. Nonprofit agencies or boards of education seeking grants pursuant to this section shall make application to the commissioner on such forms and at such times as the commissioner shall prescribe. All grants pursuant to this section shall be funded within the limits of available appropriations or otherwise from federal funds and private donations. All full-day, year-round Head Start programs funded pursuant to this section shall be in compliance with federal Head Start performance standards.

(b) The Office of Early Childhood shall annually allocate to each town in which the number of children under the temporary family assistance program, as defined in subdivision (17) of section 10-262f, equals or exceeds nine hundred children, determined for the fiscal year ending June 30, 1996, an amount equal to one hundred fifty thousand dollars plus eight and one-half dollars for each child under the temporary family assistance program, provided such amount may be reduced proportionately so that the total amount awarded pursuant to this subsection does not exceed two million seven hundred thousand dollars. The office shall award grants to the local and regional boards of education for such towns and nonprofit agencies located in such towns which meet the criteria established pursuant to subsection (a) of this section to maintain the programs established or expanded with funds provided pursuant to this subsection in the fiscal years ending June 30, 1996, and June 30, 1997. Any funds remaining in the allocation to such a town after grants are so awarded shall be used to increase allocations to other such towns. Any funds remaining after grants are so awarded to boards of education and nonprofit agencies in all such towns shall be available to local and regional boards of education and nonprofit agencies in other towns in the state for grants for such purposes.

(c) There is established a committee to advise the commissioner concerning the coordination, priorities for allocation and distribution, and utilization of funds for Head Start [A>and Early Head Start<A] and concerning the competitive grant program established under this section, and to evaluate programs funded pursuant to this section. The committee shall consist of the following members: (1) One member designated by the commissioner; (2) six members who are directors of Head Start programs, two from community action agency program sites or school readiness liaisons, one of whom shall be appointed by the president pro tempore of the Senate and one by the speaker of the House of Representatives, two from public school program sites, one of whom shall be appointed by the majority leader of the Senate and one by the majority leader of the House of Representatives, and two from other nonprofit agency

program sites, one of whom shall be appointed by the minority leader of the Senate and one by the minority leader of the House of Representatives; (3) one member designated by the Commission on Children; (4) one member designated by the Early Childhood Cabinet, established pursuant to section 10-16z; (5) two members designated by the Head Start Association, one of whom shall be the parent of a present or former Head Start student; (6) one member designated by the Connecticut Association for Community Action who shall have expertise and experience concerning Head Start; (7) one member designated by the Region I Office of Head Start within the federal Administration of Children and Families of the Department of Health and Human Services; and (8) the director of the Head Start Collaboration Office.

(d) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, for purposes of this section.

Sec. 326. Subsections (a) and (b) of section 10-223e of the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) As used in this section:

[D]>(1) "School performance index" means the weighted sum of the subject performance indices for mathematics, reading, writing and science.<D]

[D]>(2) "School subject performance index for mathematics" means the sum of the school mastery test data of record, as defined in section 10-262f, for mathematics weighted based on: (A) The percentage of students scoring below basic, (B) the percentage of students scoring at basic, (C) the percentage of students scoring at proficient, (D) the percentage of students scoring at goal, and (E) the percentage of students scoring at advanced, except that the State Board of Education may authorize the use of alternative versions of this formula at grade levels other than elementary grade levels.<D]

[D]>(3) "School subject performance index for reading" means the sum of the school mastery test data of record, as defined in section 10-262f, for reading weighted based on: (A) The percentage of students scoring below basic, (B) the percentage of students scoring at basic, (C) the percentage of students scoring at proficient, (D) the percentage of students scoring at goal, and (E) the percentage of students scoring at advanced, except that the State Board of Education may authorize the use of alternative versions of this formula at grade levels other than elementary grade levels.<D]

[D]>(4) "School subject performance index for writing" means the sum of the school mastery test data of record, as defined in section 10-262f, for writing weighted based on: (A) The percentage of students scoring below basic, (B) the percentage of students scoring at basic, (C) the percentage of students scoring at proficient, (D) the percentage of students scoring at goal, and (E) the percentage of students scoring at advanced, except that the State Board of Education may authorize the use of alternative versions of this formula at grade levels other than elementary grade levels.<D]

[D]>(5) "School subject performance index for science" means the sum of the school mastery test data of record, as defined in section 10-262f, for science weighted based on: (A) The percentage of students

scoring below basic, (B) the percentage of students scoring at basic, (C) the percentage of students scoring at proficient, (D) the percentage of students scoring at goal, and (E) the percentage of students scoring at advanced, except that the State Board of Education may authorize the use of alternative versions of this formula at grade levels other than elementary grade levels.<D]

[A>(1) "Accountability index" means the score resulting from multiple student, school or district-level measures, as weighted by the Department of Education, that (A) shall include the performance index score and high school graduation rates, and (B) may include, but need not be limited to, academic growth over time, attendance and chronic absenteeism, postsecondary education and career readiness, enrollment in and graduation from institutions of higher education and postsecondary education programs, civics and arts education and physical fitness.<A]

[A>(2) "Performance index" means the score, as calculated by the Department of Education using the mastery test data of record, assigned to student subgroups, schools or districts.<A]

[A>(3) "Mastery test data of record" has the same meaning as provided in section 10-262f, as amended by this act.<A]

[D>(6)<D]

[A>(4)<A] "Category five schools" means schools with the lowest performance as

indicated by factors set forth in the state-wide performance management and support plan, prepared pursuant to subsection (b) of this section, that may

include, but are not limited to, the

[D>school performance<D]

[A>accountability<A] index

[A> .<A]

[D>, change in school performance index over time, growth in student achievement as measured by standardized assessments, and high school graduation and dropout rates for the entire student population and for subgroups of students.<D]

[D>(7)<D]

[A>(5)<A] "Category four schools" means schools with the lowest performance other

than category five schools as indicated by factors set forth in the state-wide performance management

and support plan, prepared pursuant to subsection (b) of this section, that may include, but are not limited to, the [D>school performance<D] [A>accountability<A] index [A>.<A] [D>, change in school performance index over time, growth in student achievement as measured by standardized assessments, and high school graduation and dropout rates for the entire student population and for subgroups of students.<D]

[D>(8)<D]

[A>(6)<A] "Category three schools" means schools with higher performance than

category four and five schools, but lower performance than category one and two schools as indicated by factors set forth in the state-wide performance management and support plan, prepared pursuant to subsection (b) of this section, that may

include, but are not limited to, the

[D>school performance<D]
[A>accountability<A] index
[A> .<A]

[D>, change in school performance index over time, growth in student achievement as measured by standardized assessments, and high school graduation and dropout rates for the entire student population and for subgroups of students.<D]

[D>(9)<D]

[A>(7)<A] "Category two schools" means schools that have higher performance than

category three, category four and category five schools, but lower performance than category one schools as indicated by factors set forth in the state-wide performance management and support plan, prepared pursuant to subsection (b) of this section, that may include, but are not limited to, the [D>school performance<D] [A>accountability<A] index [A>.<A] [D>, change in school performance index over time, growth in student achievement as measured by standardized assessments, and high school graduation and dropout rates for the entire student population and for subgroups of students.<D]

[D>(10)<D]

[A>(8)<A] "Category one schools" means schools that have the highest

performance

as indicated by factors set forth in the state-wide performance management and support plan, prepared pursuant to subsection (b) of this section, that may

include, but are not limited to, the

[D>school performance<D]

[A>accountability<A] index

[A> .<A]

[D>, change in school performance index over time, growth in student achievement as measured by standardized assessments, and high school graduation and dropout rates for the entire student population and for subgroups of students.<D]

[D>(11)<D]

[A>(9)<A]

[D>"Focus schools" means schools that have a low performing subgroup of

students using measures of student academic achievement and growth in the aggregate or for such subgroups over time, including any period of time prior to

July 1, 2014<D]

[A>"Focus school" has the same meaning as "focus school" as described

in the United States Department of Education's ESEA Flexibility policy document, updated June 7, 2012<A] .

(b) (1) For the school years commencing July 1, 2002, to July 1, 2011, inclusive, in conformance with the No Child Left Behind Act, P. L. 107-110, the Commissioner of Education shall prepare a state-wide education accountability plan, consistent with federal law and regulation. Such plan shall identify the schools and districts in need of improvement, require the development and implementation of improvement plans and utilize rewards and consequences.

(2) For the school

[D>year<D]

[A>years<A] commencing July 1, 2012,

[D>and each school year

thereafter<D]

[A>to July 1, 2014, inclusive<A] , the Department of Education shall

prepare a state-wide performance management and support plan, consistent with federal law and regulation. Such plan shall (A) identify districts in need of improvement, (B) classify schools as category one, two, three, four or five schools based on their school performance index and other factors, and (C) identify focus schools.

[A>(3) For the school year commencing July 1, 2015, and each school year thereafter, the Department of Education shall prepare a state-wide performance management and support plan, consistent with federal law and regulation. Such plan shall (A) identify districts in need of improvement, (B) classify schools as category one, two, three, four or five schools based on the accountability index, and (C) identify focus schools.<A]

Sec. 327. Section 10-262u of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) As used in this section and section 10-262i:

(1) "Alliance district" means a school district that is in a town that is among

the towns with the lowest

[D>district performance indices<D]

[A>accountability index

scores<A] .

[D>(2) "District performance index" means the sum of the district subject performance indices for mathematics, reading, writing and science.<D]

[D>(3) "District subject performance index for mathematics" means thirty per cent multiplied by the sum of the mastery test data of record, as defined in section 10-262f, for a district for mathematics weighted as follows: (A) Zero for the percentage of students scoring below basic, (B) twenty-five per cent for the percentage of students scoring at basic, (C) fifty per cent for the percentage of students scoring at proficient, (D) seventy-five per cent for the percentage of students scoring at goal, and (E) one hundred per cent for the percentage of students scoring at advanced.<D]

[D>(4) "District subject performance index for reading" means thirty per cent multiplied by the sum of the mastery test data of record, as defined in section 10-262f, for a district for reading weighted as follows: (A) Zero for the percentage of students scoring below basic, (B) twenty-five per cent for the percentage of students scoring at basic, (C) fifty per cent for the percentage of students scoring at proficient, (D) seventy-five per cent for the percentage of students scoring at goal, and (E) one hundred per cent for the percentage of students scoring at advanced.<D]

[D>(5) "District subject performance index for writing" means thirty per cent multiplied by the sum of the mastery test data of record, as defined in section 10-262f, for a district for writing weighted as follows:

(A) Zero for the percentage of students scoring below basic, (B) twenty-five per cent for the percentage of students scoring at basic, (C) fifty per cent for the percentage of students scoring at proficient, (D) seventy-five per cent for the percentage of students scoring at goal, and (E) one hundred per cent for the percentage of students scoring at advanced.<D]

[D>(6) "District subject performance index for science" means ten per cent multiplied by the sum of the mastery test data of record, as defined in section 10-262f, for a district for science weighted as follows: (A) Zero for the percentage of students scoring below basic, (B) twenty-five per cent for the percentage of students scoring at basic, (C) fifty per cent for the percentage of students scoring at proficient, (D) seventy-five per cent for the percentage of students scoring at goal, and (E) one hundred per cent for the percentage of students scoring at advanced.<D]

[A>(2) "Accountability index" has the same meaning as provided in section 10-223e, as amended by this act.<A]

[A>(3) "Mastery test data of record" has the same meaning as provided in section 10-262f, as amended by this act.<A]

[D>(7)<D]

[A>(4)<A] "Educational reform district" means a school district that is in a town that is among the ten lowest

[D>district performance indices<D]

[A>accountability

index scores<A] when all towns are ranked highest to lowest in [D>district performance

indices<D]

[A>accountability index<A] scores.

(b) For the fiscal year ending June 30, 2013, the Commissioner of Education shall designate thirty school districts as alliance districts. Any school district designated as an alliance district shall be so designated for a period of five years. On or before June 30, 2016, the Department of Education shall determine if there are any additional alliance districts.

(c) (1) (A) For the fiscal year ending June 30, 2013, the Comptroller shall withhold from a town designated as an alliance district any increase in funds received over the amount the town received for the prior fiscal year pursuant to section 10-262h. The Comptroller shall transfer such funds to the Commissioner of

Education. (B) For the fiscal years ending June 30, 2014,
[D>and June 30, 2015<D]
[A> to

June 30, 2017, inclusive<A], the Comptroller shall withhold from a town designated as an alliance district any increase in funds received over the amount the town received for the fiscal year ending June 30, 2012, pursuant to subsection (a) of section 10-262i. The Comptroller shall transfer such funds to the Commissioner of Education.

(2) Upon receipt of an application pursuant to subsection (d) of this section, the Commissioner of Education may pay such funds to the town designated as an alliance district and such town shall pay all such funds to the local or regional board of education for such town on the condition that such funds shall be expended in accordance with the plan described in subsection (d) of this section, the provisions of subsection (c) of section 10-262i, and any guidelines developed by the State Board of Education for such funds. Such funds shall be used to improve student achievement in such alliance district and to offset any other local education costs approved by the commissioner.

(d) The local or regional board of education for a town designated as an alliance district may apply to the Commissioner of Education, at such time and in such manner as the commissioner prescribes, to receive any increase in funds received over the amount the town received for the prior fiscal year pursuant to subsection (a) of section 10-262i. Applications pursuant to this subsection shall include objectives and performance targets and a plan that may include, but not be limited to, the following: (1) A tiered system of interventions for the schools under the jurisdiction of such board based on the needs of such schools, (2) ways to strengthen the foundational programs in reading, through the intensive reading instruction program pursuant to section 10-14u, to ensure reading mastery in kindergarten to grade three, inclusive, with a focus on standards and instruction, proper use of data, intervention strategies, current information for teachers, parental engagement, and teacher professional development, (3) additional learning time, including extended school day or school year programming administered by school personnel or external partners, (4) a talent strategy that includes, but is not limited to, teacher and school leader recruitment and assignment, career ladder policies that draw upon guidelines for a model teacher evaluation program adopted by the State Board of Education, pursuant to section 10-151b, and adopted by each local or regional board of education. Such talent strategy may include provisions that demonstrate increased ability to attract, retain, promote and bolster the performance of staff in accordance with performance evaluation findings and, in the case of new personnel, other indicators of effectiveness, (5) training for school leaders and other staff on new teacher evaluation models, (6) provisions for the cooperation and coordination with early childhood education providers to ensure alignment with district expectations for student entry into kindergarten, including funding for an existing local Head Start program, (7) provisions for the cooperation and coordination with other governmental and community programs to ensure that students receive adequate support and wraparound services, including community school models, (8) provisions for implementing and furthering state-wide education standards adopted by the State Board of Education and all activities and initiatives associated with such

standards, and (9) any additional categories or goals as determined by the commissioner. Such plan shall demonstrate collaboration with key stakeholders, as identified by the commissioner, with the goal of achieving efficiencies and the alignment of intent and practice of current programs with conditional programs identified in this subsection. The commissioner may (A) require changes in any plan submitted by a local or regional board of education before the commissioner approves an application under this subsection, and (B) permit a local or regional board of education, as part of such plan, to use a portion of any funds received under this section for the purposes of paying tuition charged to such board pursuant to subdivision (1) of subsection (k) of section 10-264 l or subsection (b) of section 10-264o.

(e) The State Board of Education may develop guidelines and criteria for the administration of such funds under this section.

(f) The commissioner may withhold such funds if the local or regional board of education fails to comply with the provisions of this section. The commissioner may renew such funding if the local or regional board of education provides evidence that the school district of such board is achieving the objectives and performance targets approved by the commissioner stated in the plan submitted under this section.

(g) Any local or regional board of education receiving funding under this section shall submit an annual expenditure report to the commissioner on such form and in such manner as requested by the commissioner. The commissioner shall determine if (1) the local or regional board of education shall repay any funds not expended in accordance with the approved application, or (2) such funding should be reduced in a subsequent fiscal year up to an amount equal to the amount that the commissioner determines is out of compliance with the provisions of this subsection.

(h) Any balance remaining for each local or regional board of education at the end of any fiscal year shall be carried forward for such local or regional board of education for the next fiscal year.

Sec. 328. Subdivision (16) of section 10-262f of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(16) "Mastery test data of record" means for the school year commencing July 1, 2013, and each school year thereafter, the data of record [D>on the December thirty-first<D] subsequent to the administration of the mastery examinations

pursuant to subsection (b) of section 10-14n,

[D>or such data<D]

[A>as<A] adjusted by the

Department of Education pursuant to a request by a local or regional board of education [D>for an adjustment of the mastery test data from such examination<D] filed

with the department not later than the

[D>November<D]

[A>August<A] thirtieth following the

administration of such examination.

Sec. 329. (Effective July 1, 2015) Not later than January 1, 2016, the Department of Education shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a of the general statutes, explaining and comparing the formulas and scores of the school performance index, as defined in section 10-223e of the general statutes, revision of 1958, revised to January 1, 2015, the district performance index, as defined in section 10-262u of the general statutes, revision of 1958, revised to January 1, 2015, the accountability index, as defined in section 10-223e of the general statutes, as amended by this act, and the performance index, as defined in section 10-223e of the general statutes, as amended by this act. Such report shall include, but need not be limited to, (1) an explanation of the formula for the school performance index, district performance index, accountability index and performance index; (2) the categories of the data used in the computation of the school performance index, district performance index, accountability index and performance index; (3) an explanation of how such data is weighted in the school performance index, district performance index, accountability index and performance index; (4) the school performance index, district performance index, accountability index and performance index scores for each school district; (5) a comparison of such scores; and (6) an explanation for why the scores for the accountability index and performance index are different from the scores for the school performance index and district performance index.

Sec. 330. Subdivision (2) of subsection (j) of section 10-66bb of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(2) An enrollment lottery described in subdivision (8) of subsection (d) of this section shall not be held for a local charter school that is established at a school that is among the schools with a percentage equal to or less than five per cent when all schools are ranked highest to lowest in [D>school performance<D] [A>accountability<A] index scores, as defined in section 10-223e [A>, as amended by this act<A] .

Sec. 331. Subdivisions (1) and (2) of subsection (j) of section 10-223h of the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(j) (1) The Commissioner of Education shall annually submit a report on the academic performance of each school participating in the commissioner's network of schools to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a. Such report shall include, but not be limited to, (A) the [D>school performance<D]

performance<D]

[A>accountability<A] index score, as defined in section 10-223e,
[A> as

amended by this act,<A] for such school, (B) trends for the [D>school performance<D] [A>accountability<A] index scores during the period that such school is participating in the commissioner's network of schools, (C) adjustments for subgroups of students at such school, including, but not limited to, students whose primary language is not English, students receiving special education services and students who are eligible for free or reduced price lunches, and (D) performance evaluation results in the aggregate for teachers and administrators at such school.

(2) The Commissioner of Education shall annually submit a report comparing and analyzing the academic performance of all the schools participating in the commissioner's network of schools to the joint standing committee of the General Assembly having cognizance of matters relating to education, in accordance with the provisions of section 11-4a. Such report shall include, but not be limited to,

(A) the
[D>school performance<D]
[A>accountability<A] index
[D>scores<D]
[A>score<A] , as defined in

section 10-223e, [A>as amended by this act,<A] for the school, (B) trends for the

[D>school performance<D]
[A>accountability<A] indices during the period that such schools

are participating in the commissioner's network of schools, (C) adjustments for subgroups of students at such schools, including, but not limited to, students whose primary language is not English, students receiving special education services and students who are eligible for free or reduced price lunches, and (D) performance evaluation results in the aggregate for teachers and administrators at such schools.

Sec. 332. Section 10-223k of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

The Department of Education shall annually publish and make available on the department's Internet web site (1) the state-wide performance management and support plan, as described in subsection (b) of section 10-223e, [A>as amended by this act,<A] (2) a list of schools ranked highest to lowest in [D>school performance<D] [A>accountability<A] index scores, [A>as defined in section 10-223e, as amended by this

act,<A] (3) the formula and manner in which the

[D>school performance<D]
[A> accountability<A]

index was calculated for each school, and (4) the alternative versions of the

formula used to calculate the

[D>school subject performance<D]
[A>accountability<A] indices

at grade levels other than elementary grade levels.

Sec. 333. Subsection (a) of section 10-223f of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) For the school year commencing July 1,
[D>2013<D]
[A>2015<A] , and each school year

thereafter, the Department of Education shall calculate the [D>district performance<D]

[A>accountability<A] index, as defined in section
[D>10-262u<D]
[A>10-223e, as amended by this

act<A] , for an alliance district, as defined in [D>said<D] section 10-262u, [A>as amended by this act,<A] with data from each school under the jurisdiction of the board of education for such alliance district and data from any state or local charter school, as defined in section 10-66aa, located in such alliance district, provided the local board of education for such alliance district and the state or local charter school reach mutual agreement for the inclusion of the data from the state or local charter schools and the terms of such agreement are approved by the State Board of Education.

Sec. 334. (Effective July 1, 2015) Notwithstanding the provisions of subdivision (4) of subsection (c) of section 10-264 l of the general statutes, as amended by this act, for the fiscal year ending June 30, 2016, enrollment shall increase into a secondary permanent location as part of the expansion of the Rogers International School in the town of Stamford, as approved by the Commissioner of Education.

Sec. 335. Subsection (i) of section 10-266p of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(i) In addition to the amounts allocated in subsection (a) and subsections (c) to (h), inclusive, of this section, for the fiscal year ending June 30, 2008, and each fiscal year thereafter, the State Board of Education shall allocate two million twenty thousand dollars to the town ranked sixth when all towns are

ranked from highest to lowest in population, based on the most recent federal decennial census [A>, except that for the fiscal year ending June 30, 2015, the State Board of Education shall allocate two million two hundred thousand seventy dollars to said town<A] .

Sec. 336. (Effective July 1, 2015) Up to \$ 250,000 of the unexpended balance of funds appropriated to the Department of Education, for Priority School Districts, in section 1 of public act 13-247, as amended by section 1 of public act 14-47, for the fiscal year ending June 30, 2015, shall not lapse on said date, and such funds shall continue to be available for a grant pursuant to subsection (i) of section 10-266p of the general statutes, as amended by this act, during the fiscal year ending June 30, 2016.

Sec. 337. (Effective July 1, 2015) (a) (1) Up to \$ 495,000 of the amount appropriated to the Department of Education, for Education Equalization Grants, in section 1 of public act 15-244, for the fiscal year ending June 30, 2016, shall be used for the purpose of funding up to forty-five seats at the Common Ground High School.

(2) Up to \$ 440,000 of the amount appropriated to the Department of Education, for Education Equalization Grants, in section 1 of public act 15-244, for the fiscal year ending June 30, 2016, shall be used for the purpose of funding up to forty seats at the Highville Charter School.

(b) (1) Up to \$ 495,000 of the amount appropriated to the Department of Education, for Education Equalization Grants, in section 1 of public act 15-244, for the fiscal year ending June 30, 2017, shall be used for the purpose of funding up to forty-five seats at the Common Ground High School.

(2) Up to \$ 440,000 of the amount appropriated to the Department of Education, for Education Equalization Grants, in section 1 of public act 15-244, for the fiscal year ending June 30, 2017, shall be used for the purpose of funding up to forty seats at the Highville Charter School.

Sec. 338. Subsection (c) of section 10-145f of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(c) Notwithstanding the provisions of this section and section 10-145b, the following persons shall be eligible for a nonrenewable temporary certificate: (1) A person who has resided in a state other than Connecticut during the year immediately preceding application for certification in Connecticut and meets the requirements for certification, excluding successful completion of the competency examination and subject matter assessment, if such person holds current teacher certification in a state other than Connecticut and has completed at least one year of successful teaching in another state in a public school or a nonpublic school approved by the appropriate state board of education, (2) a person who has graduated from a teacher preparation program at a college or university outside of the state and regionally accredited, and meets the requirements for certification, excluding successful completion of the competency examination and subject matter assessment, and (3) a person hired by a charter school after July first in any school year for a teaching position that school year, provided the person hired after said date could reasonably be expected to complete the requirements prescribed in subparagraphs (B) and (C) of subdivision (1) of subsection (c) of section 10-145b. The nonrenewable temporary certificate

shall be valid for one year from the date it is issued [A>, except the State Board of Education may extend a temporary certificate in the certification endorsement area of bilingual education issued under this subsection for an additional two years to a person who is employed by a local or regional board of education and providing instruction as part of a program of bilingual instruction, as defined in section 10-17e<A] .

Sec. 339. Section 10-145h of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) On and after July 1,

[D>1999<D]

[A>2015<A] , the State Board of Education shall require

an applicant for certification as a bilingual education teacher to demonstrate[A>written<A] competency in English and [A>written and oral competency in<A] the other

language of instruction as a condition of certification.

[D>Competency<D]

[A>Written

competency<A] in English shall be demonstrated by successful passage of the essential skills test approved by the State Board of Education. [D>Competency<D] [A>Written competency<A] in the other language shall be demonstrated on an examination, if available, of comparable difficulty as specified by the Department of Education. If such an examination is not available, competency shall be demonstrated by an appropriate alternative method as specified by the department.

[A>Oral competency in the other language shall be demonstrated by an appropriate method specified by the Department of Education.<A]

(b) On and after July 1, [D>2003<D] [A>2015<A] , the State Board of Education shall require persons seeking to become (1) elementary level bilingual education teachers to [D>be certified<D] [A>meet coursework requirements<A] in elementary education and bilingual education [A>,<A] and (2) secondary level bilingual education teachers to [D>be certified<D] [A>meet coursework requirements<A] in both the subject area they will teach and in bilingual education. [D>Such dual certification requirement may be met by earning a bachelor's degree in one field and meeting the requirements for an endorsement in the other field.<D] [A>The State Board of Education may issue an endorsement in bilingual education to an applicant who has (A) completed coursework requirements in (i) elementary education and bilingual education, or (ii) the subject area they will teach and bilingual education, and (B) successful passage of examination requirements for bilingual education, as approved by the State Board of Education.<A]

(c) On and after July 1, 2000, the State Board of Education shall require bilingual education teachers holding provisional educator certificates to meet the requirements of this subsection in order to qualify for a professional educator certificate to teach bilingual education. (1) Such bilingual education teachers

who teach on the elementary level shall take fifteen credit hours in bilingual education and fifteen credit hours in language arts, reading and mathematics. (2) Such bilingual education teachers who teach on the middle or secondary level shall take fifteen credit hours in bilingual education and fifteen credit hours in the subject matter that they teach. Such professional educator certificate shall be valid for bilingual education and the grade level and content area of preparation.

[D>(d) (1) Notwithstanding subsection (a) of this section, for the period from July 1, 2005, to June 30, 2010, inclusive, the State Board of Education shall require an applicant for certification as a bilingual education teacher to demonstrate competency in English and the other language of instruction as a condition of certification. Competency in English shall be demonstrated by successful passage of the oral proficiency test in English and an essential skills test approved by the State Board of Education. Oral and written competency in the other language shall be demonstrated by passage of an examination, if available, of comparable difficulty as specified by the Department of Education. If such an examination is not available, competency shall be demonstrated by an appropriate alternative method as specified by the department.<D]

[D>(2) Notwithstanding subsection (b) of this section, for the period from July 1, 2005, to June 30, 2010, inclusive, the State Board of Education shall require persons seeking to become (A) elementary level bilingual education teachers to be certified in (i) bilingual education and achieve a satisfactory evaluation on the appropriate State Board of Education approved assessment for elementary education, or (ii) elementary education and have completed six semester hours of credit in English as a second language course work as approved by the State Board of Education, and (B) secondary level bilingual education teachers to be certified in (i) bilingual education and achieve a satisfactory evaluation on the appropriate State Board of Education approved subject area assessment, or (ii) the subject area they will teach and have completed six semester hours of credit in English as a second language course work as approved by the State Board of Education. Such certificates shall be valid for subject-specific bilingual education. Certification in elementary bilingual education shall be valid for grades kindergarten to eight, inclusive, and certification in secondary subject-specific bilingual education shall be valid for grades seven to twelve, inclusive.<D]

Sec. 340. Section 10-145k of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The State Board of Education shall, upon the request of a local or regional board of education, issue an international teacher permit in a subject shortage area pursuant to section 10-8b, provided the conditions for issuance of such permit pursuant to the provisions of subsections (b) and (c) of this section are met. Such permits shall be issued for one year and may be renewed for a period of up to one year, upon the request of the local or regional board of education, provided the teacher whose permit is to be renewed maintains, at the time of such renewal, a valid J-1 Visa issued by the United States Department of State at the time such permit is renewed.

(b) The local or regional board of education requesting the issuance of an international teacher permit

shall attest to the existence of a plan for the supervision of the teacher.

(c) The teacher shall:

(1) Hold a J-1 visa issued by the United States Department of State;

(2) Be in the United States to teach (A) in accordance with a memorandum of understanding between Connecticut and the country from which the teacher is entering, or (B) as part of the Exchange Visitor Program administered by the United States Department of State Teacher Exchange Branch;

(3) (A) Hold the equivalent of a bachelor's degree, from a regionally accredited institution of higher education, as determined by a foreign credentialing agency recognized by the Commissioner of Education, with a major in or closely related to the certification endorsement area in which the teacher is to teach, [D>or<D] (B) hold such a degree without such a major and have successfully completed the teacher assessment for the appropriate subject area, as approved by the State Board of Education [A>, or (C) have completed coursework or training prescribed by the State Board of Education to achieve proficiency deemed equivalent to a bachelor's degree, if such person will be providing instruction as part of a program of bilingual instruction, as defined in section 10-17e<A] ;

(4) Have completed, in the country from which the teacher is entering, the equivalent of a regionally accredited teacher preparation program; and

(5) Have achieved the level of oral proficiency in English as determined by an examination approved by the Commissioner of Education.

Sec. 341. Subsection (a) of section 10-151b of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The superintendent of each local or regional board of education shall annually evaluate or cause to be evaluated each teacher, and for the school year commencing July 1, 2013, and each school year thereafter, such annual evaluations shall be the teacher evaluation and support program adopted pursuant to subsection (b) of this section. The superintendent may conduct additional formative evaluations toward producing an annual summative evaluation. An evaluation pursuant to this subsection shall include, but need not be limited to, strengths, areas needing improvement, strategies for improvement and multiple indicators of student academic growth. Claims of failure to follow the established procedures of such teacher evaluation and support program shall be subject to the grievance procedure in collective bargaining agreements negotiated subsequent to July 1, 2004. In the event that a teacher does not receive a summative evaluation during the school year, such teacher shall receive a "not rated" designation for such school year. The superintendent shall report (1) the status of teacher evaluations to the local or regional board of education on or before June first of each year, and (2) the status of the implementation of the teacher evaluation and support program, including the frequency of evaluations, aggregate evaluation ratings, the number of teachers who have not been evaluated and other requirements as determined by the Department of Education, to the Commissioner

of Education on or before [D>June

thirtieth<D]

[A>September fifteenth<A] of each year. For purposes of this section, the

term "teacher" shall include each professional employee of a board of education, below the rank of superintendent, who holds a certificate or permit issued by the State Board of Education.

Sec. 342. Section 1 of public act 15-168 is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

Each local or regional board of education that assigns a school resource officer to any school under the jurisdiction of such board shall enter into a memorandum of understanding with a local law enforcement agency [D>or the Division of State Police within the Department of Emergency Services and Public Protection<D] regarding the role and responsibility of such school resource officer. Such memorandum of understanding shall include provisions addressing daily interactions between students and school personnel with school resource officers and [D>may<D] [A>shall<A] include a graduated response model for student discipline. For the purposes of this section, "school resource officer" means a sworn police officer of a local law enforcement agency [D>or a sworn officer of the Division of State Police within the Department of Emergency Services and Public Protection<D] who has been assigned to a school pursuant to an agreement between the local or regional board of education and the chief of police of a local law enforcement agency [A>.<A] [D>or the commanding officer of the Division of State Police.<D]

Sec. 343. (Effective July 1, 2015) Up to \$ 220,818 of the amount appropriated to the Department of Education, for Magnet Schools, in section 1 of public act 15-244, for the fiscal years ending June 30, 2016, and June 30, 2017, shall be used for the purpose of defraying costs associated with interdistrict magnet school tuition charged to the town of East Hartford.

Sec. 344. (Effective from passage) Notwithstanding the provisions of chapter 173 of the general statutes or any regulation adopted by the State Board of Education or the Department of Administrative Services, costs associated with construction-related professional service fees relating to site acquisition shall be reimbursed as eligible project costs for the new construction and purchase of site project (Project Number 027-0061 N/PS) at the Morgan School in the town of Clinton, provided such costs shall not exceed one million seven hundred thousand dollars.

Sec. 345. (NEW) (Effective July 1, 2015) (a) Not later than September first, annually, the Secretary of the Office of Policy and Management, in consultation with the Commissioner of Public Health, shall (1) determine the amounts appropriated for the needle and syringe exchange program, AIDS services, breast and cervical cancer detection and treatment, x-ray screening and tuberculosis care, and venereal

disease control; and (2) inform the Insurance Commissioner of such amounts.

(b) (1) As used in this section: (A) "Health insurance" means health insurance of the types specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469 of the general statutes; and (B) "health care center" has the same meaning as provided in section 38a-175 of the general statutes.

(2) Each domestic insurer or health care center doing health insurance business in this state shall annually pay to the Insurance Commissioner, for deposit in the Insurance Fund established under section 38a-52a of the general statutes, a public health fee assessed by the Insurance Commissioner pursuant to this section.

(3) Not later than September first, annually, each such insurer or health care center shall report to the Insurance Commissioner, in the form and manner prescribed by said commissioner, the number of insured or enrolled lives in this state as of May first immediately preceding the date for which such insurer or health care center is providing health insurance that provides coverage of the types specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469 of the general statutes. Such number shall not include lives enrolled in Medicare, any medical assistance program administered by the Department of Social Services, workers' compensation insurance or Medicare Part C plans.

(c) Not later than November first, annually, the Insurance Commissioner shall determine the fee to be assessed for the current fiscal year against each such insurer and health care center. Such fee shall be calculated by multiplying the number of lives reported to said commissioner pursuant to subdivision (3) of subsection (b) of this section by a factor, determined annually by said commissioner as set forth in this subsection, to fully fund the aggregate amount determined under subsection (a) of this section. The Insurance Commissioner shall determine the factor by dividing the aggregate amount by the total number of lives reported to said commissioner pursuant to subdivision (3) of subsection (b) of this section.

(d) Not later than December first, annually, the Insurance Commissioner shall submit a statement to each such insurer and health care center that includes the proposed fee, identified on such statement as the "Public Health fee", for the insurer or health care center, calculated in accordance with this section. Not later than December twentieth, annually, any insurer or health care center may submit an objection to the Insurance Commissioner concerning the proposed public health fee. The Insurance Commissioner, after making any adjustment that said commissioner deems necessary, shall, not later than January first, annually, submit a final statement to each insurer and health care center that includes the final fee for the insurer or health care center. Each such insurer and health care center shall pay such fee to the Insurance Commissioner not later than February first, annually.

(e) Any such insurer or health care center aggrieved by an assessment levied under this section may appeal therefrom in the same manner as provided for appeals under section 38a-52 of the general statutes.

Sec. 346. Subsection (a) of section 19a-55 of the general statutes is repealed and the following is

substituted in lieu thereof (Effective July 1, 2015):

(a) The administrative officer or other person in charge of each institution caring for newborn infants shall cause to have administered to every such infant in its care an HIV-related test, as defined in section 19a-581, a test for phenylketonuria and other metabolic diseases, hypothyroidism, galactosemia, sickle cell disease, maple syrup urine disease, homocystinuria, biotinidase deficiency, congenital adrenal hyperplasia and such other tests for inborn errors of metabolism as shall be prescribed by the Department of Public Health. The tests shall be administered as soon after birth as is medically appropriate. If the mother has had an HIV-related test pursuant to section 19a-90 or 19a-593, the person responsible for testing under this section may omit an HIV-related test. The Commissioner of Public Health shall (1) administer the newborn screening program, (2) direct persons identified through the screening program to appropriate specialty centers for treatments, consistent with any applicable confidentiality requirements, and (3) set the fees to be charged to institutions to cover all expenses of the comprehensive screening program including testing, tracking and treatment. The fees to be charged pursuant to subdivision (3) of this

subsection shall be set at a minimum of

[D>fifty-six<D]

[A>ninety-eight<A] dollars. The

Commissioner of Public Health shall publish a list of all the abnormal conditions for which the department screens newborns under the newborn screening program, which shall include screening for amino acid disorders, organic acid disorders and fatty acid oxidation disorders, including, but not limited to, long-chain 3-hydroxyacyl CoA dehydrogenase (L-CHAD) and medium-chain acyl-CoA dehydrogenase (MCAD).

Sec. 347. Section 38a-514b of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(a) As used in this section:

(1) "Applied behavior analysis" means the design, implementation and evaluation of environmental modifications, using behavioral stimuli and consequences, including the use of direct observation, measurement and functional analysis of the relationship between environment and behavior, to produce socially significant improvement in human behavior.

(2)

[D>"Autism services provider"<D]

[A>"Autism spectrum disorder services provider"<A]

means any person, entity or group that provides treatment for autism spectrum disorder pursuant to this section.

(3) "Autism spectrum disorder" means
[D>a pervasive developmental disorder<D]
[A>"autism

spectrum disorder" as<A] set forth in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders"[A>.<A] [D>, including, but not limited to, Autistic Disorder, Rett's Disorder, Childhood Disintegrative Disorder, Asperger's Disorder and Pervasive Developmental Disorder Not Otherwise Specified.<D]

(4) "Behavioral therapy" means any interactive behavioral therapies derived from evidence-based research [A>and consistent with the services and interventions designated by the Commissioner of Developmental Services pursuant to subsection (l) of section 17a-215c, as amended by this act<A] , including, but not limited to, applied behavior analysis, cognitive behavioral therapy, or other therapies supported by empirical evidence of the effective treatment of individuals diagnosed with [D>an<D] autism spectrum disorder, that are: (A) Provided to children

less than

[D>fifteen<D]

[A>twenty-one<A] years of age; and (B) provided or supervised by

(i) a behavior analyst who is certified by the Behavior Analyst Certification Board, (ii) a licensed physician, or (iii) a licensed psychologist. For the purposes of this subdivision, behavioral therapy is "supervised by" such behavior analyst, licensed physician or licensed psychologist when such supervision entails at least one hour of face-to-face supervision of the autism [A>spectrum disorder<A]

services provider by such behavior analyst, licensed physician or licensed psychologist for each ten hours of behavioral therapy provided by the supervised provider.

(5) "Diagnosis" means the medically necessary assessment, evaluation or testing performed by a licensed physician, licensed psychologist or licensed clinical social worker to determine if an individual has [D>an<D] autism spectrum disorder.

(b) Each group health insurance policy providing coverage of the type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469 that is delivered, issued for delivery, renewed, amended or continued in this state shall provide coverage for the diagnosis and treatment of autism spectrum disorder [A>.<A] [D>, except that coverage for an insured under such policy who has been diagnosed with autism spectrum disorder prior to the release of the fifth edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders" shall be provided in accordance with subsection (i) of this section.<D] For the purposes of this section and section 38a-513c, [D>an<D] autism spectrum disorder shall be considered an illness.

(c) Such policy shall provide coverage for the following treatments, provided such treatments are (1)

medically necessary, and (2) identified and ordered by a licensed physician, licensed psychologist or licensed clinical social worker for an insured who is diagnosed with [D>an<D] autism spectrum disorder, in accordance with a treatment plan developed by a [A>behavior analyst who is certified by the Behavior Analyst Certification Board,<A] licensed physician, licensed psychologist or licensed clinical social worker [A>,<A] pursuant to a comprehensive evaluation or reevaluation of the insured:

(A) Behavioral therapy;

(B) Prescription drugs, to the extent prescription drugs are a covered benefit for other diseases and conditions under such policy, prescribed by a licensed physician, [A>a<A] licensed physician assistant or [A>an<A] advanced practice registered nurse for the treatment of symptoms and comorbidities of autism spectrum disorder;

(C) Direct psychiatric or consultative services provided by a licensed psychiatrist;

(D) Direct psychological or consultative services provided by a licensed psychologist;

(E) Physical therapy provided by a licensed physical therapist;

(F) Speech and language pathology services provided by a licensed speech and language pathologist; and

(G) Occupational therapy provided by a licensed occupational therapist.

[D>(d) Such policy may limit the coverage for behavioral therapy to a yearly benefit of fifty thousand dollars for a child who is less than nine years of age, thirty-five thousand dollars for a child who is at least nine years of age and less than thirteen years of age and twenty-five thousand dollars for a child who is at least thirteen years of age and less than fifteen years of age.<D]

[D>(e)<D]

[A>(d)<A] Such policy shall not impose (1) any limits on the number of visits an

insured may make to an autism [A>spectrum disorder<A] services provider pursuant to a treatment plan on any basis other than a lack of medical necessity, or (2) a coinsurance, copayment, deductible or other out-of-pocket expense for such coverage that places a greater financial burden on an insured for access to the diagnosis and treatment of [D>an<D] autism spectrum disorder than for the diagnosis and treatment of any other medical, surgical or physical health condition under such policy.

[D>(f)<D]

[A>(e)<A] (1) Except for treatments and services received by an insured in an

inpatient setting, an insurer, health care center, hospital service corporation, medical service corporation or fraternal benefit society may review a treatment plan developed as set forth in subsection (c) of this section for such insured, in accordance with its utilization review requirements, not more than once every six months unless such insured's licensed physician, licensed psychologist or licensed clinical social worker agrees that a more frequent review is necessary or changes such insured's treatment plan.

(2) For the purposes of this section, the results of a diagnosis shall be valid for a period of not less than twelve months, unless such insured's licensed physician, licensed psychologist or licensed clinical social worker determines a shorter period is appropriate or changes the results of such insured's diagnosis.

[D>(g)<D]

[A>(f)<A] Coverage required under this section may be subject to the other

general exclusions and limitations of the group health insurance policy, including, but not limited to, coordination of benefits, participating provider requirements, restrictions on services provided by family or household members and case management provisions, except that any utilization review shall be performed

in accordance with subsection

[D>(f)<D]

[A>(e)<A] of this section.

[D>(h)<D]

[A>(g)<A] (1) Nothing in this section shall be construed to limit or affect (A)

any other covered benefits available to an insured under (i) such group health insurance policy, (ii) section 38a-514, [A>as amended by this act,<A] or (iii) section 38a-516a, [A>as amended by this act,<A] (B) any obligation to provide services to an individual under an individualized education program pursuant to section 10-76d, or (C) any obligation imposed on a public school by the Individual With Disabilities Education Act, 20 USC 1400 et seq. , as amended from time to time.

(2) Nothing in this section shall be construed to require such group health insurance policy to provide reimbursement for special education and related services provided to an insured pursuant to section 10-76d, unless otherwise required by state or federal law.

[D>(i) Each such group health insurance policy shall maintain, for any insured diagnosed with autism

spectrum disorder prior to the release of the fifth edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", coverage as set forth in this section for the treatment of said disorder at the benefit levels, at a minimum, provided immediately preceding the release of the fifth edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders".<D]

Sec. 348. Section 38a-488b of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

[A>(a) As used in this section:<A]

[A>(1) "Applied behavior analysis" means the design, implementation and evaluation of environmental modifications, using behavioral stimuli and consequences, including the use of direct observation, measurement and functional analysis of the relationship between environment and behavior, to produce socially significant improvement in human behavior.<A]

[A>(2) "Autism spectrum disorder services provider" means any person, entity or group that provides treatment for an autism spectrum disorder pursuant to this section.<A]

[A>(3) "Autism spectrum disorder" means "autism spectrum disorder" as set forth in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders".<A]

[A>(4) "Behavioral therapy" means any interactive behavioral therapies derived from evidence-based research and consistent with the services and interventions designated by the Commissioner of Developmental Services pursuant to subsection (l) of section 17a-215c, as amended by this act, including, but not limited to, applied behavior analysis, cognitive behavioral therapy, or other therapies supported by empirical evidence of the effective treatment of individuals diagnosed with autism spectrum disorder, that are: (A) Provided to children less than twenty-one years of age; and (B) provided or supervised by (i) a behavior analyst who is certified by the Behavior Analyst Certification Board, (ii) a licensed physician, or (iii) a licensed psychologist. For the purposes of this subdivision, behavioral therapy is "supervised by" such behavior analyst, licensed physician or licensed psychologist when such supervision entails at least one hour of face-to-face supervision of the autism spectrum disorder services provider by such behavior analyst, licensed physician or licensed psychologist for each ten hours of behavioral therapy provided by the supervised provider.<A]

[A>(5) "Diagnosis" means the medically necessary assessment, evaluation or testing performed by a licensed physician, licensed psychologist or licensed clinical social worker to determine if an individual has autism spectrum disorder.<A]

[D>(a)<D]

[A>(b)<A] Each individual health insurance policy providing coverage of the type

specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469 that is delivered, issued for delivery, renewed, amended or continued in this state shall provide coverage [D>for physical therapy, speech therapy and occupational therapy services<D] for the [A>diagnosis and<A] treatment of autism spectrum disorder [A>.<A] [D>, as set forth in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", to the extent such services are a covered benefit for other diseases and conditions under such policy, except that coverage for an insured under such policy who has been diagnosed with autism spectrum disorder prior to the release of the fifth edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders" shall be provided in accordance with subsection (b) of this

section.<D]

[A>For the purposes of this section and section 38a-482a, autism spectrum disorder shall be considered an illness.<A]

[D>(b) Each such policy shall maintain, for any insured diagnosed with autism spectrum disorder prior to the release of the fifth edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", coverage for physical therapy, speech therapy and occupational therapy services for the treatment of said disorder at the benefit levels, at a minimum, provided immediately preceding the release of the fifth edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders".<D]

[A>(c) Such policy shall provide coverage for the following treatments, provided such treatments are (1) medically necessary, and (2) identified and ordered by a licensed physician, licensed psychologist or licensed clinical social worker for an insured who is diagnosed with autism spectrum disorder, in accordance with a treatment plan developed by a behavior analyst who is certified by the Behavior Analyst Certification Board, licensed physician, licensed psychologist or licensed clinical social worker, pursuant to a comprehensive evaluation or reevaluation of the insured:<A]

[A>(A) Behavioral therapy;<A]

[A>(B) Prescription drugs, to the extent prescription drugs are a covered benefit for other diseases and conditions under such policy, prescribed by a licensed physician, a licensed physician assistant or an advanced practice registered nurse for the treatment of symptoms and comorbidities of autism spectrum disorder;<A]

[A>(C) Direct psychiatric or consultative services provided by a licensed psychiatrist;<A]

[A>(D) Direct psychological or consultative services provided by a licensed psychologist;<A]

[A>(E) Physical therapy provided by a licensed physical therapist;<A]

[A>(F) Speech and language pathology services provided by a licensed speech and language pathologist; and<A]

[A>(G) Occupational therapy provided by a licensed occupational therapist.<A]

[A>(d) Such policy shall not impose (1) any limits on the number of visits an insured may make to an autism spectrum disorder services provider pursuant to a treatment plan on any basis other than a lack of medical necessity, or (2) a coinsurance, copayment, deductible or other out-of-pocket expense for such coverage that places a greater financial burden on an insured for access to the diagnosis and treatment of autism spectrum disorder than for the diagnosis and treatment of any other medical, surgical or physical health condition under such policy.<A]

[A>(e) (1) Except for treatments and services received by an insured in an inpatient setting, an insurer, health care center, hospital service corporation, medical service corporation or fraternal benefit society may review a treatment plan developed as set forth in subsection (c) of this section for such insured, in accordance with its utilization review requirements, not more than once every six months unless such insured's licensed physician, licensed psychologist or licensed clinical social worker agrees that a more frequent review is necessary or changes such insured's treatment plan.<A]

[A>(2) For the purposes of this section, the results of a diagnosis shall be valid for a period of not less than twelve months, unless such insured's licensed physician, licensed psychologist or licensed clinical social worker determines a shorter period is appropriate or changes the results of such insured's diagnosis.<A]

[A>(f) Coverage required under this section may be subject to the other general exclusions and limitations of the individual health insurance policy, including, but not limited to, coordination of benefits, participating provider requirements, restrictions on services provided by family or household members and case management provisions, except that any utilization review shall be performed in accordance with subsection (e) of this section.<A]

[A>(g) (1) Nothing in this section shall be construed to limit or affect (A) any other covered benefits available to an insured under (i) such individual health insurance policy, (ii) section 38a-488a, as amended by this act, or (iii) section 38a-490a, as amended by this act, (B) any obligation to provide services to an individual under an individualized education program pursuant to section 10-76d, or (C) any obligation imposed on a public school by the Individual With Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time.<A]

[A>(2) Nothing in this section shall be construed to require such individual health insurance policy to provide reimbursement for special education and related services provided to an insured pursuant to section 10-76d, unless otherwise required by state or federal law.<A]

Sec. 349. Section 38a-516a of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(a) Each group health insurance policy providing coverage of the type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469 delivered, issued for delivery, renewed, amended or continued in this state shall provide coverage for medically necessary early intervention services provided as part of an individualized family service plan pursuant to section 17a-248e. Such policy shall [D>(1)<D] provide coverage for such services provided by qualified personnel, as defined in section 17a-248, for a child from birth until the child's third birthday [A>.<A] [D>, and (2) maintain, for any insured diagnosed with autism spectrum disorder prior to the release of the fifth edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", coverage for such services for the treatment of said disorder at the benefit levels, at a minimum, provided immediately preceding the release of the fifth edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders".<D]

(b) No such policy shall impose a coinsurance, copayment, deductible or other out-of-pocket expense for such services, except that a high deductible health plan, as that term is used in subsection (f) of section 38a-520, shall not be subject to the deductible limits set forth in this section.

[D>(c) Such policy shall provide a maximum benefit of six thousand four hundred dollars per child per year and an aggregate benefit of nineteen thousand two hundred dollars per child over the total three-year period, except that for a child with autism spectrum disorder, as defined in section 38a-514b, who is receiving early intervention services as defined in section 17a-248, the maximum benefit available through early intervention providers shall be fifty thousand dollars per child per year and an aggregate benefit of one hundred fifty thousand dollars per child over the total three-year period as provided for in section 38a-514b. Nothing in this section shall be construed to increase the amount of coverage required for autism spectrum disorder for any child beyond the amounts set forth in section 38a-514b. Any coverage provided for autism spectrum disorder through an individualized family service plan pursuant to section 17a-248e shall be credited toward the coverage amounts required under section 38a-514b.<D]

[D>(d)<D]

[A>(c)<A] No payment made under this section shall (1)

[D>be applied by the insurer,

health care center or plan administrator against or result in a loss of benefits due to any maximum lifetime or annual limits specified in the policy, (2)<D] adversely affect the availability of health insurance to the child, the child's

parent or the child's family members insured under any such policy, or

[D>(3)<D]

[A>(2)<A]

be a reason for the insurer, health care center or plan administrator to rescind or cancel such policy. Payments made under this section shall not be treated differently than other claim experience for purposes of premium rating.

Sec. 350. Section 38a-490a of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(a) Each individual health insurance policy providing coverage of the type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469 delivered, issued for delivery, renewed, amended or continued in this state shall provide coverage for medically necessary early intervention services provided as part of an individualized family service plan pursuant to section 17a-248e. Such policy shall [D>(1)<D] provide coverage for such services provided by qualified personnel, as defined in section 17a-248, for a child from birth until the child's third birthday [A>.<A] [D>, and (2) maintain, for any insured diagnosed with autism spectrum disorder prior to the release of the fifth edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders", coverage for such services for the treatment of said disorder at the benefit levels, at a minimum, provided immediately preceding the release of the fifth edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders".<D]

(b) No such policy shall impose a coinsurance, copayment, deductible or other out-of-pocket expense for such services, except that a high deductible health plan, as that term is used in subsection (f) of section 38a-493, shall not be subject to the deductible limits set forth in this section.

[D>(c) Such policy shall provide a maximum benefit of six thousand four hundred dollars per child per year and an aggregate benefit of nineteen thousand two hundred dollars per child over the total three-year period.<D]

[D>(d)<D]

[A>(c)<A] No payment made under this section shall (1)

[D>be applied by the insurer,

health care center or plan administrator against or result in a loss of benefits due to any maximum lifetime or annual limits specified in the policy, (2)<D]adversely affect the availability of health insurance to the child, the child's

parent or the child's family members insured under any such policy, or

[D>(3)<D]

[A>(2)<A]

be a reason for the insurer, health care center or plan administrator to rescind or cancel such policy. Payments made under this section shall not be treated differently than other claim experience for purposes of premium rating.

Sec. 351. Section 17a-215c of the general statutes is amended by adding subsection (l) as follows (Effective from passage):

(NEW) (l) The Commissioner of Developmental Services, in consultation with the Autism Spectrum Disorder Advisory Council, shall designate services and interventions that demonstrate, in accordance with medically established and research-based best practices, empirical effectiveness for the treatment of autism spectrum disorder. The commissioner shall update such designations periodically and whenever the commissioner deems it necessary to conform to changes generally recognized by the relevant medical community in evidence-based practices or research.

Sec. 352. Subdivision (3) of subsection (a) of section 38a-591c of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(3) (A) Notwithstanding subdivision (2) of this subsection, for any utilization review for the treatment of a substance use disorder, as described in section 17a-458, the clinical review criteria used shall be: (i) The most recent edition of the American Society of Addiction ~~[D]Medicine's Patient Placement Criteria[D]~~ [A]Medicine Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions[A] ; or (ii) clinical review criteria that the health carrier demonstrates is consistent with the most recent edition of the American Society of Addiction

~~[D]Medicine's Patient Placement Criteria[D]~~
[A]Medicine Treatment Criteria for Addictive,

Substance-Related, and Co-Occurring Conditions[A] , in accordance with subparagraph (B) of this subdivision.

(B) A health carrier that uses clinical review criteria as set forth in subparagraph (A)(ii) of this subdivision shall create and maintain a document in an easily accessible location on such health carrier's Internet web site that (i) compares each aspect of such clinical review criteria with the American Society of

Addiction

~~[D]Medicine's Patient Placement Criteria[D]~~
[A]Medicine Treatment Criteria for

Addictive, Substance-Related, and Co-Occurring Conditions[A] , and (ii) provides citations to peer-reviewed medical literature generally recognized by the relevant medical community or to

professional society guidelines that justify each deviation from the American Society of Addiction
[D>Medicine's Patient Placement

Criteria<D]

[A>Medicine Treatment Criteria for Addictive, Substance-Related, and

Co-Occurring Conditions<A] .

Sec. 353. (Effective from passage) (a) Not later than October 1, 2015, the Insurance Commissioner shall convene a working group to develop recommendations for behavioral health utilization and quality measures data that should be collected uniformly from state agencies that pay health care claims, group hospitalization and medical and surgical insurance plans established pursuant to section 5-259 of the general statutes, the state medical assistance program and health insurance companies and health care centers that write health insurance policies and health care contracts in this state. The purposes of such recommendations include, but are not limited to, protecting behavioral health parity for youths and other populations.

(b) The working group shall consist of the Insurance Commissioner, the Healthcare Advocate, the Commissioners of Social Services, Public Health, Mental Health and Addiction Services, Children and Families and Developmental Services and the Comptroller, or their designees, and may include representatives from health insurance companies or health care centers or any other members the Insurance Commissioner deems necessary and relevant to carry out the working group's duties under this section.

(c) (1) The working group shall determine the data that should be collected to inform analysis on (A) coverage for behavioral health services, (B) the adequacy of coverage for behavioral health conditions, including, but not limited to, autism spectrum disorders and substance use disorders, (C) the alignment of medical necessity criteria and utilization management procedures across such agencies, plans, program, companies and centers, (D) the adequacy of health care provider networks, (E) the overall availability of behavioral health care providers in this state, (F) the percentage of behavioral health care providers in this state that are participating providers under a group hospitalization and medical and surgical insurance plan established pursuant to section 5-259 of the general statutes, the state medical assistance program, or a health insurance policy or health care contract delivered, issued for delivery, renewed, amended or continued in this state, and (G) the adequacy of services available for behavioral health conditions, including, but not limited to, autism spectrum disorders and substance use disorders.

(2) The recommendations developed by the working group may include data such as (A) per member, per month claim expenses, (B) the median length of a covered treatment for an entire course of treatment by levels of care, (C) utilization review outcome data grouped by levels of care, age categories and levels of review as set forth in part VII of chapter 700c of the general statutes, (D) the number of in-network and out-of-network health care providers by location and provider type, (E) health care

provider network management data by location and provider type, and (F) health care provider network fluctuations, the causes of such fluctuations and the decisions made by health insurance companies, health care centers and state agencies regarding the approval of health care providers to join a health care provider network.

(d) Not later than January 1, 2016, the Insurance Commissioner shall submit a report of the recommendations of the working group as set forth in subsection (a) of this section, in accordance with the provisions of section 11-4a of the general statutes, to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to insurance, human services, public health and children.

Sec. 354. Subsection (j) of section 21a-254 of the general statutes, as amended by section 5 of public act 15-198, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(j) (1) The commissioner shall, within available appropriations, establish an electronic prescription drug monitoring program to collect, by electronic means, prescription information for schedules II, III, IV and V controlled substances that are dispensed by pharmacies, nonresident pharmacies, as defined in section 20-627, outpatient pharmacies in hospitals or institutions or by any other dispenser. The program shall be designed to provide information regarding the prescription of controlled substances in order to prevent the improper or illegal use of the controlled substances and shall not infringe on the legitimate prescribing of a controlled substance by a prescribing practitioner acting in good faith and in the course of professional practice.

(2) The commissioner may identify other products or substances to be included in the electronic prescription drug monitoring program established pursuant to subdivision (1) of this subsection.

(3)

[D>Each<D]

[A>Prior to July 1, 2016, each<A] pharmacy, nonresident pharmacy, as defined

in section 20-627, outpatient pharmacy in a hospital or institution and dispenser shall report to the commissioner, at least weekly, by electronic means or, if a pharmacy or outpatient pharmacy does not maintain records electronically, in a format approved by the commissioner, the following information for all controlled substance prescriptions dispensed by such pharmacy or outpatient pharmacy: (A) Dispenser identification number; (B) the date the prescription for the controlled substance was filled; (C) the prescription number; (D) whether the prescription for the controlled substance is new or a refill; (E) the national drug code number for the drug dispensed; (F) the amount of the controlled substance dispensed and the number of days' supply of the controlled substance; (G) a patient identification number; (H) the patient's first name, last name and street address, including postal code; (I) the date of birth of the patient; (J) the date the prescription for the controlled substance was issued by the prescribing practitioner and the prescribing practitioner's Drug Enforcement Agency's identification

number; and (K) the type of payment.

[A>(4) On and after July 1, 2016, each pharmacy, nonresident pharmacy, as defined in section 20-627, outpatient pharmacy in a hospital or institution, and dispenser shall report to the commissioner by electronic means, in a format approved by the commissioner, the following information for all controlled substance prescriptions dispensed by such pharmacy or outpatient pharmacy immediately upon, but in no event more than twenty-four hours after, dispensing such prescriptions: (A) Dispenser identification number; (B) the date the prescription for the controlled substance was filled; (C) the prescription number; (D) whether the prescription for the controlled substance is new or a refill; (E) the national drug code number for the drug dispensed; (F) the amount of the controlled substance dispensed and the number of days' supply of the controlled substance; (G) a patient identification number; (H) the patient's first name, last name and street address, including postal code; (I) the date of birth of the patient; (J) the date the prescription for the controlled substance was issued by the prescribing practitioner and the prescribing practitioner's Drug Enforcement Agency's identification number; and (K) the type of payment.<A]

[D>(4)<D]

[A>(5)<A] The commissioner may contract with a vendor for purposes of electronically collecting such controlled substance prescription information. The commissioner and any such vendor shall maintain the information in accordance with the provisions of chapter 400j.

[D>(5)<D]

[A>(6)<A] The commissioner and any such vendor shall not disclose controlled

substance prescription information reported pursuant to [D>subdivision (3)<D] [A>subdivisions (3) and (4)<A] of this subsection, except as authorized pursuant to the provisions of sections 21a-240 to 21a-283, inclusive. Any person who knowingly

violates any provision of this subdivision or subdivision

[D>(4)<D]

[A>(5)<A] of this

subsection shall be guilty of a class D felony.

[D>(6)<D]

[A>(7)<A] The commissioner shall provide, upon request, controlled

substance

prescription information obtained in accordance with [D>subdivision (3)<D] [A>subdivisions (3) and (4)<A] of this subsection to the following: (A) The prescribing practitioner, or such practitioner's authorized agent who is also a licensed health care professional, who is treating or has treated a specific patient, provided the information is obtained for purposes related to the treatment of the patient, including the monitoring of controlled substances obtained by the patient; (B) the prescribing practitioner with whom a patient has made contact for the purpose of seeking medical treatment, provided the request is accompanied by a written consent, signed by the prospective patient, for the release of controlled substance prescription information; or (C) the pharmacist who is dispensing controlled substances for a patient, provided the information is obtained for purposes related to the scope of the pharmacist's practice and management of the patient's drug therapy, including the monitoring of controlled substances obtained by the patient. The prescribing practitioner, such practitioner's authorized agent, or the pharmacist shall submit a written and signed request to the commissioner for controlled substance prescription information. Such prescribing practitioner or pharmacist shall not disclose any such request except as authorized pursuant to sections 20-570 to 20-630, to sections 20-570 to 20-630, inclusive, or sections 21a-240 to 21a-283, inclusive.

[D>(7)<D]

[A>(8)<A] No person or employer shall prohibit, discourage or impede a

prescribing practitioner or pharmacist from requesting controlled substance prescription information pursuant to this subsection.

[D>(8)<D]

[A>(9)<A] Prior to prescribing greater than a seventy-two-hour supply of any

controlled substance to any patient, the prescribing practitioner or such practitioner's authorized agent who is also a licensed health care professional shall review the patient's records in the electronic prescription drug monitoring program established pursuant to this subsection. Whenever a prescribing practitioner prescribes controlled substances for the continuous or prolonged treatment of any patient, such prescriber, or such prescriber's authorized agent who is also a licensed health care professional, shall review, not less than once every ninety days, the patient's records in such prescription drug monitoring program. If such electronic prescription drug monitoring program is not operational, such prescriber may prescribe greater than a seventy-two-hour supply of a controlled substance to a patient during the time of such program's inoperability, provided such prescriber or such authorized agent reviews the records of such patient in such program not more than twenty-four hours after regaining

access to such program.

[D>(9)<D]

[A>(10)<A] The commissioner shall adopt regulations, in accordance with chapter

54, concerning the reporting, evaluation, management and storage of electronic controlled substance prescription information.

[D>(10)<D]

[A>(11)<A] The provisions of this section shall not apply to (A) samples of

controlled substances dispensed by a physician to a patient, or (B) any controlled substances dispensed to hospital inpatients.

[D>(11)<D]

[A>(12)<A] The provisions of this section shall not apply to any institutional

pharmacy or pharmacist's drug room operated by a facility, licensed under section 19a-495 and regulations adopted pursuant to said section 19a-495, that dispenses or administers directly to a patient an opioid agonist for treatment of a substance use disorder.

Sec. 355. (NEW) (Effective July 1, 2015) (a) There is established within the Department of Mental Health and Addiction Services a grant program for the purposes of providing community-based behavioral health services, including (1) care coordination services, and (2) access to information on and referrals to, available health care and social service programs. Such services shall be provided by organizations that provide acute care and emergency behavioral health services. The Commissioner of Mental Health and Addiction Services shall establish eligibility criteria for grants under the program and an application process.

(b) Grants shall be issued under the program for the purposes of providing community-based behavioral health services, including (1) care coordination services, and (2) access to information on, and referrals to, available health care and social service programs.

Sec. 356. (Effective July 1, 2015) (a) The Commissioner of Mental Health and Addiction Services shall,

in consultation with the Commissioners of Children and Families and Social Services and providers of behavioral health services, including, but not limited to, hospitals and advocacy agencies, study the current adequacy of psychiatric services. Such study shall include, but need not be limited to: (1) A determination of the number of short-term, intermediate and long-term psychiatric beds needed in each region of the state; (2) the average wait times for each type of psychiatric beds; (3) the impact of wait times on persons in need of inpatient psychiatric services, such persons' families and providers of such inpatient care; (4) identification of public and private funding sources to maintain the number of psychiatric beds needed in the state; (5) access to outpatient services including wait times for initial appointments; (6) available housing options; and (7) access to alternatives to hospitalization including, but not limited to, peer-operated respite programs.

(b) Not later than January 1, 2017, the Commissioner of Mental Health and Addiction Services shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations, public health and human services concerning the results of the study described in subsection (a) of this section. Such report shall include, but need not be limited to, recommendations concerning: (1) Expansion of the utilization criteria to increase access to acute, inpatient psychiatric services throughout the state; (2) an increase in the number of long-term, inpatient hospitalization beds available for persons with recurring needs for inpatient behavioral health services; (3) funding to increase the number of psychiatric beds; (4) placement of additional psychiatric beds in health care facilities throughout the state; and (5) funding to increase alternatives to hospitalization, including, but not limited to, access to outpatient services, housing and peer-operated respite programs.

Sec. 357. Subdivision (12) of subsection (g) of section 17a-28 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(12) The Department of Developmental Services, to allow said department to determine eligibility, facilitate enrollment and plan for the provision of services to a child who is a client of said department and who is applying to

enroll in or is enrolled in said department's

[D>voluntary<D]

[A>behavioral<A] services

program. At the time that a parent or guardian completes an application for enrollment of a child in the Department of Developmental Services' [D>voluntary<D] [A>behavioral<A] services program, or at the time that said department updates a child's annual individualized plan of care, said department shall notify such parent or guardian that the Department of Children and Families may provide records to the Department of Developmental Services for the purposes specified in this subdivision without the consent of such parent or guardian;

Sec. 358. Subsection (i) of section 17b-261 of the general statutes is repealed and the following is

substituted in lieu thereof (Effective July 1, 2015):

(i) Medical assistance shall be provided, in accordance with the provisions of subsection (e) of section 17a-6, to any child under the supervision of the Commissioner of Children and Families who is not receiving Medicaid benefits, has not yet qualified for Medicaid benefits or is otherwise ineligible for such benefits. Medical assistance shall also be provided to any child in the ~~[D]voluntary[D]~~ [A]behavioral[A] services program operated by the Department of Developmental Services who is not receiving Medicaid benefits, has not yet qualified for Medicaid benefits or is otherwise ineligible for benefits. To the extent practicable, the Commissioner of Children and Families and the Commissioner of Developmental Services shall apply for, or assist such child in qualifying for, the Medicaid program.

Sec. 359. (Effective from passage) (a) The Commissioner of Social Services and the Commissioner of Public Health shall study the effectiveness of providing community-based health care services in the state. Such study shall include, but not be limited to, a review of (1) the health care needs of persons who access the 9-1-1 system when the emergency department is not the most appropriate place for such persons to receive such services, (2) the feasibility of providing short-term follow-up home visits for persons who have recently been discharged from a hospital until such time as other health care providers are able to provide home visits or other follow-up health care services, (3) the need and feasibility of emergency medical services personnel to provide home visits to persons who are at a high risk of being frequent, repeat users of the emergency department to help such persons manage their chronic diseases and adhere to medication plans, (4) the need to provide ancillary primary care services for populations in areas where there is a high utilization of the 9-1-1 system for nonemergency situations, (5) the current best practices in mobile integrated health care, (6) the scope of practice for emergency medical services personnel, (7) practice guidelines for community-based health care services, and (8) Medicaid authority under which community-based health care services may be covered.

(b) Not later than February 1, 2016, the Commissioners of Social Services and Public Health shall submit a preliminary report, in accordance with the provisions of section 11-4a of the general statutes, on the study performed pursuant to subsection (a) of this section to the joint standing committees of the General Assembly having cognizance of matters relating to human services and public health.

(c) Not later than June 1, 2016, the Commissioners of Social Services and Public Health shall submit a final report, in accordance with the provisions of section 11-4a of the general statutes, on the results of the study performed pursuant to subsection (a) of this section to the joint standing committees of the General Assembly having cognizance of matters relating to human services and public health.

Sec. 360. (NEW) (Effective October 1, 2015) As used in this section, sections 361 to 364, inclusive, of this act and section 19a-14 of the general statutes, as amended by this act: (1) "Genetic counselor" means a person who has been licensed as a genetic counselor under the provisions of sections 362 and 363 of this act; and (2) "genetic counseling" means the provision of services to individuals, couples, families and organizations by an appropriately trained individual to address the physical and

psychological issues associated with the occurrence or risk of occurrence of a genetic disorder, birth defect or genetically influenced condition or disease in an individual or a family.

Sec. 361. (NEW) (Effective October 1, 2015) (a) No person may practice genetic counseling unless licensed or permitted pursuant to section 362 or 363 of this act.

(b) No person may use the title "genetic counselor", "licensed genetic counselor", "gene counselor", "genetic consultant", "genetic associate", or the designation "LGC" or make use of any title, words, letters, abbreviations or insignia that may reasonably be confused with licensure as a genetic counselor unless such person is licensed pursuant to section 362 of this act or has been issued a temporary permit pursuant to section 363 of this act.

(c) The provisions of this section shall not apply to a person who (1) is licensed under chapter 370 of the general statutes, (2) is an advanced practice registered nurse licensed under chapter 378 of the general statutes, (3) is a nurse-midwife licensed under chapter 377 of the general statutes, (4) provides genetic counseling while acting within the scope of practice of the person's license and training, provided the person does not hold himself or herself out to the public as a genetic counselor, (5) is employed by the federal government to provide genetic counseling while in the discharge of the person's official duties, or (6) is a student enrolled in (A) a genetic counseling educational program, (B) a medical genetics educational program accredited by the American Board of Genetic Counseling, or any successor of said board, or the American Board of Medical Genetics and Genomics, or (C) a graduate nursing or medical education program in genetics, and genetic counseling is an integral part of the student's course of study and such student is performing such counseling under the direct supervision of a licensed genetic counselor or physician.

Sec. 362. (NEW) (Effective from passage) (a) On and after October 1, 2015, the Commissioner of Public Health shall grant a license as a genetic counselor to any applicant who, except as provided in subsections (b) and (c) of this section, furnishes evidence satisfactory to the commissioner that such applicant has earned a certification as a genetic counselor from the American Board of Genetic Counseling, or any successor of said board, or the American Board of Medical Genetics and Genomics. The commissioner shall develop and provide application forms. The application fee shall be three hundred fifteen dollars.

(b) An applicant for a license as a genetic counselor may, in lieu of the requirements set forth in subsection (a) of this section, submit evidence satisfactory to the commissioner of having, prior to October 1, 2015: (1) Acquired eight years of experience in the practice of genetic counseling; (2) earned, from an accredited institution of higher education, a master's or doctoral degree in genetics or a related field; and (3) attended a continuing education program approved by the National Society of Genetic Counselors within the five-year period prior to the date of application.

(c) An applicant for licensure by endorsement shall present evidence satisfactory to the commissioner that the applicant is licensed or certified as a genetic counselor, or as a person entitled to perform similar

services under a different designation, in another state or jurisdiction that has requirements for practicing in such capacity that are substantially similar to, or higher than, those of this state and that there are no disciplinary actions or unresolved complaints pending in this state or any other state.

(d) Licenses issued under this section shall be renewed annually pursuant to section 19a-88 of the general statutes, as amended by this act. The fee for such renewal shall be one hundred ninety dollars. Each licensed genetic counselor applying for license renewal shall furnish evidence satisfactory to the commissioner of having current certification with the American Board of Genetic Counseling, or any successor of said board, or the American Board of Medical Genetics and Genomics and having obtained continuing education units for certification as required by said boards.

Sec. 363. (NEW) (Effective October 1, 2015) The Department of Public Health may issue a temporary permit to an applicant for licensure as a genetic counselor who holds a master's degree or higher in genetic counseling or a related field. Such temporary permit shall authorize the holder of the temporary permit to practice genetic counseling under the general supervision of a licensed genetic counselor or a licensed physician at all times during which the holder of the temporary permit performs genetic counseling. Such temporary permit shall be valid for a period not to exceed three hundred sixty-five calendar days after the date of attaining such master's degree or higher and shall not be renewable. No temporary permit shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in this state or any other state. The commissioner may revoke a temporary permit for good cause, as determined by the commissioner. The fee for a temporary permit shall be fifty dollars.

Sec. 364. (NEW) (Effective October 1, 2015) The Commissioner of Public Health may take any disciplinary action set forth in section 19a-17 of the general statutes against a genetic counselor for any of the following reasons: (1) Failure to conform to the accepted standards of the profession; (2) conviction of a felony; (3) fraud or deceit in obtaining or seeking reinstatement of a license to practice genetic counseling; (4) fraud or deceit in the practice of genetic counseling; (5) negligent, incompetent or wrongful conduct in professional activities; (6) physical, mental or emotional illness or disorder resulting in an inability to conform to the accepted standards of the profession; (7) alcohol or substance abuse; or (8) wilful falsification of entries in any hospital, patient or other record pertaining to genetic counseling. The commissioner may order a license holder to submit to a reasonable physical or mental examination if his or her physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford to enforce such order or any action taken pursuant to section 19a-17 of the general statutes. The commissioner shall give notice and an opportunity to be heard on any contemplated action under section 19a-17 of the general statutes.

Sec. 365. (NEW) (Effective October 1, 2015) The Commissioner of Public Health may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to implement the provisions of sections 360 to 364, inclusive, of this act.

Sec. 366. Subsection (c) of section 19a-14 of the general statutes is repealed and the following is

substituted in lieu thereof (Effective October 1, 2015):

(c) No board shall exist for the following professions that are licensed or otherwise regulated by the Department of Public Health:

- (1) Speech and language pathologist and audiologist;
- (2) Hearing instrument specialist;
- (3) Nursing home administrator;
- (4) Sanitarian;
- (5) Subsurface sewage system installer or cleaner;
- (6) Marital and family therapist;
- (7) Nurse-midwife;
- (8) Licensed clinical social worker;
- (9) Respiratory care practitioner;
- (10) Asbestos contractor and asbestos consultant;
- (11) Massage therapist;
- (12) Registered nurse's aide;
- (13) Radiographer;
- (14) Dental hygienist;
- (15) Dietitian-Nutritionist;
- (16) Asbestos abatement worker;
- (17) Asbestos abatement site supervisor;
- (18) Licensed or certified alcohol and drug counselor;
- (19) Professional counselor;
- (20) Acupuncturist;
- (21) Occupational therapist and occupational therapist assistant;
- (22) Lead abatement contractor, lead consultant contractor, lead consultant, lead abatement supervisor, lead abatement worker, inspector and planner-project designer;

(23) Emergency medical technician, advanced emergency medical technician, emergency medical responder and emergency medical services instructor;

(24) Paramedic;

(25) Athletic trainer;

(26) Perfusionist;

(27) Master social worker subject to the provisions of section 20-195v;

(28) Radiologist assistant, subject to the provisions of section 20-74tt;

(29) Homeopathic physician;

(30) Certified water treatment plant operator, certified distribution system operator, certified small water system operator, certified backflow prevention device tester and certified cross connection survey inspector, including certified limited operators, certified conditional operators and certified operators in training; [D>and<D]

(31) Tattoo technician [A>; and<A]

[A>(32) Genetic counselor<A] .

The department shall assume all powers and duties normally vested with a board in administering regulatory jurisdiction over such professions. The uniform provisions of this chapter and chapters 368v, 369 to 381a, inclusive, 383 to 388, inclusive, 393a, 395, 398, 399, 400a and 400c, including, but not limited to, standards for entry and renewal; grounds for professional discipline; receiving and processing complaints; and disciplinary sanctions, shall apply, except as otherwise provided by law, to the professions listed in this subsection.

Sec. 367. (Effective from passage) The Commissioner of Public Health may implement, effective on or before July 15, 2015, an increase in the maximum allowable rates set by the commissioner for each licensed and certified ambulance service. Nothing in this section shall otherwise amend or abridge the commissioner's rate-setting authority for emergency medical services under section 19a-177 of the general statutes.

Sec. 368. Subdivision (14) of subsection (b) of section 17a-408 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(14) Implement and administer,
[D>on and after July 1, 2014<D]
[A>within available

appropriations<A] , a pilot program that serves home and community-based care recipients in Hartford

County; and

Sec. 369. Subdivision (3) of subsection (b) of section 10-295 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(3) The Commissioner of Rehabilitation Services may, within available appropriations, employ certified teachers of the visually impaired in sufficient numbers to meet the requests for services received from school districts. In responding to such requests, the commissioner shall utilize a formula for determining the number of teachers needed to serve the school districts, crediting six points for each Braille-learning child and one point for each other child, with one full-time certified teacher of the visually impaired assigned for every twenty-five points credited. The commissioner shall exercise due diligence to employ the needed number of certified teachers of the visually impaired, but shall not be liable for lack of resources. Funds appropriated to said account may also be utilized to employ [D>rehabilitation teachers, rehabilitation technologists and

orientation and mobility teachers<D]

[A>additional staff<A] in numbers sufficient to

provide compensatory skills evaluations and training to blind and visually impaired children [D>. In addition, up to five per cent of such appropriation may

also be utilized to employ<D]

[A>and<A] special assistants to the blind and other

support staff necessary to ensure the efficient operation of service delivery. Not later than October first of each year, the Commissioner of Rehabilitation Services shall determine the number of teachers needed based on the formula provided in this subdivision. Based on such determination, the Commissioner of Rehabilitation Services shall estimate the funding needed to pay such teachers' salaries [D>, benefits<D] and related expenses.

Sec. 370. Subsection (a) of section 17b-261 of the general statutes, as amended by section 17 of public act 15-69, is repealed and the following is substituted in lieu thereof (Effective August 1, 2015):

(a) Medical assistance shall be provided for any otherwise eligible person whose income, including any available support from legally liable relatives and the income of the person's spouse or dependent child, is not more than one hundred forty-three per cent, pending approval of a federal waiver applied for pursuant to subsection (e) of this section, of the benefit amount paid to a person with no income under the temporary family assistance program in the appropriate region of residence and if such person is an institutionalized individual as defined in Section 1917 of the Social Security Act, 42 USC 1396p(h)(3),

and has not made an assignment or transfer or other disposition of property for less than fair market value for the purpose of establishing eligibility for benefits or assistance under this section. Any such disposition shall be treated in accordance with Section 1917(c) of the Social Security Act, 42 USC 1396p(c). Any disposition of property made on behalf of an applicant or recipient or the spouse of an applicant or recipient by a guardian, conservator, person authorized to make such disposition pursuant to a power of attorney or other person so authorized by law shall be attributed to such applicant, recipient or spouse. A disposition of property ordered by a court shall be evaluated in accordance with the standards applied to any other such disposition for the purpose of determining eligibility. The commissioner shall establish the standards for eligibility for medical assistance at one hundred forty-three per cent of the benefit amount paid to a household of equal size with no income under the temporary family assistance program in the appropriate region of residence. In determining eligibility, the commissioner shall not consider as income Aid and Attendance pension benefits granted to a veteran, as defined in section 27-103, or the surviving spouse of such veteran.

Except as provided in

[D>sections<D]

[A>section<A] 17b-277

[A>, as amended by this act,<A] and

[A>section<A] 17b-292, as amended by

[D>this act<D]

[A>public act 15-69 and this act<A] , the

medical assistance program shall provide coverage to persons under the age of nineteen with household income up to one hundred ninety-six per cent of the federal poverty level without an asset limit and to persons under the age of nineteen [A>, who qualify for coverage under Section 1931 of the Social Security Act, with household income not exceeding one hundred ninety-six per cent of the federal poverty level without an asset limit,<A] and their parents and needy caretaker relatives, who qualify for coverage under Section 1931 of the Social

Security Act, with household income

[D>up to<D]

[A>not exceeding<A] one hundred

[D> ninety-six<D]

[A>fifty<A] per cent of the federal poverty level without an asset limit. Such levels shall be based on the regional differences in such benefit amount, if applicable, unless such levels based on regional differences are not in conformance with federal law. Any income in excess of the applicable amounts shall be applied as may be required by said federal law, and assistance shall be granted for the balance of the cost of authorized medical assistance. The Commissioner of Social Services shall provide applicants for assistance under this section, at the time of application, with a written statement advising them of (1) the effect of an assignment or transfer or other disposition of property on eligibility for

benefits or assistance, (2) the effect that having income that exceeds the limits prescribed in this subsection will have with respect to program eligibility, and (3) the availability of, and eligibility for, services provided by the Nurturing Families Network established pursuant to section 17b-751b. For coverage dates on or after January 1, 2014, the department shall use the modified adjusted gross income financial eligibility rules set forth in Section 1902(e)(14) of the Social Security Act and the implementing regulations to determine eligibility for HUSKY A, HUSKY B and HUSKY D applicants, as defined in section 17b-290, as amended by

[D>this act<D]

[A>public act 15-69 and this act<A] . Persons who are determined ineligible

for assistance pursuant to this section shall be provided a written statement notifying such persons of their ineligibility and advising such persons of their potential eligibility for one of the other insurance affordability programs as defined in 42 CFR 435. 4.

Sec. 371. (NEW) (Effective from passage) (a) The Commissioner of Social Services shall review whether a parent or needy caretaker relative, who qualifies for Medicaid coverage under Section 1931 of the Social Security Act and is no longer eligible on and after August 1, 2015, pursuant to section 17b-261 of the general statutes, as amended by this act, remains eligible for Medicaid under the same or a different category of coverage before terminating coverage.

(b) The commissioner and the Connecticut Health Insurance Exchange, established pursuant to section 38a-1081 of the general statutes, shall ensure that such parent or needy caretaker relative is given an opportunity to enroll in a qualified health plan without a gap in coverage. The Connecticut Health Insurance Exchange shall enlist the assistance of health and social services community-based organizations to contact and advise such parent or needy caretaker relative of options for health insurance coverage.

(c) Not later than November 1, 2015, and quarterly thereafter until December 1, 2017, the commissioner and the Connecticut Health Insurance Exchange shall report to the Council on Medical Assistance Program Oversight on the number of such parents and caretaker relatives who, due to changes in income eligibility effective August 1, 2015, (1) were no longer eligible for Medicaid, (2) remained eligible after the commissioner's review pursuant to this section, (3) lost Medicaid coverage and enrolled in a qualified health plan without a gap in coverage, (4) lost Medicaid coverage and did not enroll in a qualified health plan immediately after such coverage loss, and (5) enrolled in a qualified health plan but were disenrolled for failure to pay premiums.

Sec. 372. Section 17b-277 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The Commissioner of Social Services shall provide, in accordance with federal law and regulations, medical assistance under the Medicaid program to needy pregnant women whose families have an income not exceeding two hundred [D>fifty<D] [A>fifty-eight<A] per cent of the federal poverty level.

(b) The commissioner shall implement presumptive eligibility for appropriate pregnant women applicants for the Medicaid program in accordance with Section 1920 of the Social Security Act. The commissioner shall designate qualified entities to receive and determine presumptive eligibility under this section consistent with the provisions of federal law and regulations.

[D>(c) On or before September 30, 2007, the Commissioner of Social Services shall submit a state plan amendment or, if required by the federal government, seek a waiver under federal law to provide health insurance coverage to pregnant women, who do not otherwise have creditable coverage, as defined in 42 USC 300gg(c), and who have income above one hundred eighty-five per cent of the federal poverty level but not in excess of two hundred fifty per cent of the federal poverty level. Following approval of such state plan amendment or approval of such waiver application, the commissioner, on or before January 1, 2008, shall implement the provisions of subsections (a) and (b) of this section.<D]

[D>(d)<D]

[A>(c)<A] Presumptive eligibility for medical assistance shall be implemented for

any uninsured newborn child born in a hospital in this state or a border state hospital, provided (1) the parent or caretaker relative of such child resides in this state, and (2) the parent or caretaker relative of such child authorizes enrollment in the program.

Sec. 373. Section 17b-290 of the general statutes, as amended by section 20 of public act 15-69, is repealed and the following is substituted in lieu thereof (Effective August 1, 2015):

As used in this section and sections 17b-292, as amended by

[D>this act<D]

[A>public act 15-69 and this act<A] , 17b-294a, as amended by

[D>this act<D]

[A>public act 15-69<A] , 17b-295, as amended by

[D>this act<D]

[A>public act 15-69<A] , 17b-297a, as amended by
[D> this act<D]

[A>public act 15-69<A] , 17b-297b, as amended by
[D>this act<D]

[A>public act 15-69<A] , and
17b-300, as amended by

[D>this act<D]

[A>public act 15-69<A] :

(1) "Applicant" means an individual over the age of eighteen years who is a natural or adoptive parent [A>,<A] [D>or<D] a legal guardian [A>,<A] [D>;<D] a caretaker relative, foster parent or stepparent with whom the child resides and shall include a child who is eighteen years of age or emancipated in accordance with the provisions of sections 46b-150 to 46b-150e, inclusive, and who is applying on his own behalf or on behalf of a minor dependent for coverage under such plan;

(2) "Child" means an individual under nineteen years of age;

(3) "Coinsurance" means the sharing of health care expenses by the insured and an insurer in a specified ratio;

(4) "Commissioner" means the Commissioner of Social Services;

(5) "Copayment" means a payment made on behalf of a member for a specified service under HUSKY B;

(6) "Cost sharing" means arrangements made on behalf of a member whereby an applicant pays a portion of the cost of health services, sharing costs with the state and includes copayments, premiums, deductibles and coinsurance;

(7) "Deductible" means the amount of out-of-pocket expenses that would be paid for health services on behalf of a member before becoming payable by the insurer;

(8) "Department" means the Department of Social Services;

(9) "Durable medical equipment" means equipment that meets all of the following requirements:

(A) Can withstand repeated use;

(B) Is primarily and customarily used to serve a medical purpose;

(C) Generally is not useful to a person in the absence of an illness or injury; and

(D) Is nondisposable;

(10) "Eligible beneficiary" means a child who meets the requirements in section

17b-292, as amended by

[D>this act<D]

[A>public act 15-69 and this act<A] , and the

requirements specified in Section 2110(b)(2)(B) of the Social Security Act as amended by Section 10203(b)(2)(D) of the Affordable Care Act;

(11) "Household" has the same meaning as provided in 42 CFR 435. 603;

(12) "Household income" has the same meaning as provided in 42 CFR 435. 603;

(13) "HUSKY A" means Medicaid provided to children, caretaker relatives and pregnant and postpartum women pursuant to section 17b-261, as amended by [D>this act<D] [A>public act 15-69 and this act<A] , or 17b-277 [A>, as amended by this act<A] ;

(14) "HUSKY B" means the health coverage for children established pursuant to the

provisions of sections 17b-290, as amended by

[D>this act<D]

[A>public act 15-69 and this act<A] , 17b-292, as amended by

[D>this act<D]

[A>public act 15-69 and this act<A] , 17b-294a,

as amended by

[D>this act<D]

[A>public act 15-69<A] , 17b-295, as amended by

[D>this act<D]

[A>public act 15-69<A]

, 17b-297a, as amended by

[D>this act<D]

[A>public act 15-69<A] , 17b-297b

as amended by

[D>this act<D]

[A>public act 15-69<A] , and 17b-300, as amended by

[D>this act<D]

[A>public act 15-69<A] ;

(15) "HUSKY C" means Medicaid provided to individuals who are sixty-five years of age or older or who are blind or have a disability;

(16) "HUSKY D" or "Medicaid Coverage for the Lowest Income Populations program" means Medicaid provided to nonpregnant low-income adults who are age eighteen to sixty-four, as authorized pursuant to section 17b-8a;

(17) "HUSKY Health" means the combined HUSKY A, HUSKY B, HUSKY C and HUSKY D programs, that provide medical coverage to eligible children, parents, relative caregivers, persons age sixty-five or older, individuals with disabilities, low-income adults, and pregnant women;

(18) "HUSKY Plus" means the supplemental health program established pursuant to

section 17b-294a, as amended by

[D>this act<D]

[A>public act 15-69<A] , for medically

eligible members of HUSKY B whose medical needs cannot be accommodated within the basic benefit package offered to members. HUSKY Plus shall supplement coverage for those medically eligible members with intensive physical health needs;

(19) "Member" means an eligible beneficiary who receives services under HUSKY A, B, C or D;

(20) "Parent" means a natural parent, stepparent, adoptive parent, guardian or custodian of a child;

(21) "Premium" means any required payment made by an individual to offset [D>or pay in full<D] the cost under HUSKY B;

(22) "Qualified entity" means any entity: (A) Eligible for payments under a state plan approved under Medicaid and which provides medical services under HUSKY A, or (B) that is a qualified entity, as defined in 42 USC 1396r-1a, as amended by Section 708 of Public Law 106-554, and that is determined by the commissioner to be capable of making the determination of eligibility. The commissioner shall provide qualified entities with such forms or information on filing an application electronically as is necessary for an application to be made on behalf of a child under HUSKY A and information on how to assist parents, guardians and other persons in completing and filing such forms or electronic application;

(23) "WIC" means the federal Special Supplemental Food Program for Women, Infants and Children administered by the Department of Public Health pursuant to section 19a-59c.

Sec. 374. Section 17b-292 of the general statutes, as amended by section 25 of public act 15-69, is repealed and the following is substituted in lieu thereof (Effective August 1, 2015):

(a) A child who resides in a household with household income which exceeds one hundred ninety-six per cent of the federal poverty level and does not exceed three hundred eighteen per cent of the federal poverty level may be eligible for [D>subsidized<D] benefits under HUSKY B.

[D>(b) A child who resides in a household with household income over three hundred eighteen per cent of the federal poverty level may be eligible for unsubsidized benefits under HUSKY B.<D]

[D>(c) <D]

[A>(b) <A] Whenever a court or family support magistrate orders a noncustodial

parent to provide health insurance for a child, such parent may provide for coverage under HUSKY B.

[D>(d)<D]

[A>(c)<A] To the extent allowed under federal law, the commissioner shall not pay

for services or durable medical equipment under HUSKY B if the member has other insurance coverage for such services or equipment. If a HUSKY B member has limited benefit insurance coverage for services that are also covered under HUSKY B, the commissioner shall require such other coverage to pay for the goods or services prior to any payment under HUSKY B.

[D>(e)<D]

[A>(d)<A] A newborn child who otherwise meets the eligibility criteria for HUSKY

B shall be eligible for benefits retroactive to his or her date of birth, provided an application is filed on behalf of the child not later than thirty days after such date. Any uninsured child born in a hospital in this state or in a border state hospital shall be enrolled on an expedited basis in HUSKY B, provided (1) the parent or caretaker relative of such child resides in this state, and (2) the parent or caretaker relative of such child authorizes enrollment in the program. The commissioner shall pay any premium cost such household would otherwise incur for the first four months of coverage.

[D>(f)<D]

[A>(e)<A] The commissioner shall implement presumptive eligibility for children

applying for Medicaid and may, if cost effective, implement presumptive

eligibility for children in households with income

[D>under<D]

[A>not exceeding<A] three

hundred eighteen per cent of the federal poverty level applying for HUSKY B. Such presumptive eligibility determinations shall be in accordance with applicable federal law and regulations. The commissioner shall adopt regulations, in accordance with chapter 54, to establish standards and procedures for the designation of an organization as a qualified entity to grant presumptive eligibility. A

qualified entity shall, at the time a presumptive eligibility determination is made, provide assistance to applicants with the completion and submission of an application for a full eligibility determination. In establishing such standards and procedures, the commissioner shall ensure the representation of state-wide and local organizations that provide services to children of all ages in each region of the state.

[D>(g)<D]

[A>(f)<A] In accordance with 42 CFR 435. 1110, the commissioner shall provide

Medicaid during a presumptive eligibility period to individuals who are determined presumptively eligible by a qualified hospital. A hospital making such a presumptive eligibility determination shall provide assistance to individuals in completing and submitting an application for full Medicaid benefits.

[D>(h)<D]

[A>(g)<A] The commissioner shall implement HUSKY B while in the process of

adopting necessary policies and procedures in regulation form in accordance with the provisions of section 17b-10.

Sec. 375. Subsection (b) of section 17b-104 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(b) On July 1, 2007, and annually thereafter, the commissioner shall increase the payment standards over those of the previous fiscal year under the temporary family assistance program and the state-administered general assistance program by the percentage increase, if any, in the most recent calendar year average in the consumer price index for urban consumers over the average for the previous calendar year, provided the annual increase, if any, shall not exceed five per cent, except that the payment standards for the fiscal years ending June 30, 2010, June 30, 2011, June 30, 2012, [D>and<D] June 30, 2013, [A>June 30, 2016, and June 30, 2017,<A] shall not be increased.

Sec. 376. Subsection (a) of section 17b-106 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) On January 1, 2006, and on each January first thereafter, the Commissioner of Social Services shall increase the unearned income disregard for recipients of the state supplement to the federal Supplemental Security Income Program by an amount equal to the federal cost-of-living adjustment, if any, provided to recipients of federal Supplemental Security Income Program benefits for the corresponding calendar year. On July 1, 1989, and annually thereafter, the commissioner shall increase

the adult payment standards over those of the previous fiscal year for the state supplement to the federal Supplemental Security Income Program by the percentage increase, if any, in the most recent calendar year average in the consumer price index for urban consumers over the average for the previous calendar year, provided the annual increase, if any, shall not exceed five per cent, except that the adult payment standards for the fiscal years ending June 30, 1993, June 30, 1994, June 30, 1995, June 30, 1996, June 30, 1997, June 30, 1998, June 30, 1999, June 30, 2000, June 30, 2001, June 30, 2002, June 30, 2003, June 30, 2004, June 30, 2005, June 30, 2006, June 30, 2007, June 30, 2008, June 30, 2009, June 30, 2010, June 30, 2011, June 30, 2012, [D>and<D] June 30, 2013, [A>June 30, 2016, and June 30, 2017,<A] shall not be increased. Effective October 1, 1991, the coverage of excess utility costs for recipients of the state supplement to the federal Supplemental Security Income Program is eliminated. Notwithstanding the provisions of this section, the commissioner may increase the personal needs allowance component of the adult payment standard as necessary to meet federal maintenance of effort requirements.

Sec. 377. Subdivision (4) of subsection (f) of section 17b-340 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(4) For the fiscal year ending June 30, 1992, (A) no facility shall receive a rate that is less than the rate it received for the rate year ending June 30, 1991; (B) no facility whose rate, if determined pursuant to this subsection, would exceed one hundred twenty per cent of the state-wide median rate, as determined pursuant to this subsection, shall receive a rate which is five and one-half per cent more than the rate it received for the rate year ending June 30, 1991; and (C) no facility whose rate, if determined pursuant to this subsection, would be less than one hundred twenty per cent of the state-wide median rate, as determined pursuant to this subsection, shall receive a rate which is six and one-half per cent more than the rate it received for the rate year ending June 30, 1991. For the fiscal year ending June 30, 1993, no facility shall receive a rate that is less than the rate it received for the rate year ending June 30, 1992, or six per cent more than the rate it received for the rate year ending June 30, 1992. For the fiscal year ending June 30, 1994, no facility shall receive a rate that is less than the rate it received for the rate year ending June 30, 1993, or six per cent more than the rate it received for the rate year ending June 30, 1993. For the fiscal year ending June 30, 1995, no facility shall receive a rate that is more than five per cent less than the rate it received for the rate year ending June 30, 1994, or six per cent more than the rate it received for the rate year ending June 30, 1994. For the fiscal years ending June 30, 1996, and June 30, 1997, no facility shall receive a rate that is more than three per cent more than the rate it received for the prior rate year. For the fiscal year ending June 30, 1998, a facility shall receive a rate increase that is not more than two per cent more than the rate that the facility received in the prior year. For the fiscal year ending June 30, 1999, a facility shall receive a rate increase that is not more than three per cent more than the rate that the facility received in the prior year and that is not less than one per cent more than the rate that the facility received in the prior year, exclusive of rate increases associated with a wage, benefit and staffing enhancement rate adjustment added for the period from April 1, 1999, to June 30, 1999, inclusive. For the fiscal year ending June 30, 2000, each facility, except a facility with an interim rate or replaced interim rate for the fiscal year ending June 30, 1999, and a

facility having a certificate of need or other agreement specifying rate adjustments for the fiscal year ending June 30, 2000, shall receive a rate increase equal to one per cent applied to the rate the facility received for the fiscal year ending June 30, 1999, exclusive of the facility's wage, benefit and staffing enhancement rate adjustment. For the fiscal year ending June 30, 2000, no facility with an interim rate, replaced interim rate or scheduled rate adjustment specified in a certificate of need or other agreement for the fiscal year ending June 30, 2000, shall receive a rate increase that is more than one per cent more than the rate the facility received in the fiscal year ending June 30, 1999. For the fiscal year ending June 30, 2001, each facility, except a facility with an interim rate or replaced interim rate for the fiscal year ending June 30, 2000, and a facility having a certificate of need or other agreement specifying rate adjustments for the fiscal year ending June 30, 2001, shall receive a rate increase equal to two per cent applied to the rate the facility received for the fiscal year ending June 30, 2000, subject to verification of wage enhancement adjustments pursuant to subdivision (14) of this subsection. For the fiscal year ending June 30, 2001, no facility with an interim rate, replaced interim rate or scheduled rate adjustment specified in a certificate of need or other agreement for the fiscal year ending June 30, 2001, shall receive a rate increase that is more than two per cent more than the rate the facility received for the fiscal year ending June 30, 2000. For the fiscal year ending June 30, 2002, each facility shall receive a rate that is two and one-half per cent more than the rate the facility received in the prior fiscal year. For the fiscal year ending June 30, 2003, each facility shall receive a rate that is two per cent more than the rate the facility received in the prior fiscal year, except that such increase shall be effective January 1, 2003, and such facility rate in effect for the fiscal year ending June 30, 2002, shall be paid for services provided until December 31, 2002, except any facility that would have been issued a lower rate effective July 1, 2002, than for the fiscal year ending June 30, 2002, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2002, and have such rate increased two per cent effective June 1, 2003. For the fiscal year ending June 30, 2004, rates in effect for the period ending June 30, 2003, shall remain in effect, except any facility that would have been issued a lower rate effective July 1, 2003, than for the fiscal year ending June 30, 2003, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2003. For the fiscal year ending June 30, 2005, rates in effect for the period ending June 30, 2004, shall remain in effect until December 31, 2004, except any facility that would have been issued a lower rate effective July 1, 2004, than for the fiscal year ending June 30, 2004, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2004. Effective January 1, 2005, each facility shall receive a rate that is one per cent greater than the rate in effect December 31, 2004. Effective upon receipt of all the necessary federal approvals to secure federal financial participation matching funds associated with the rate increase provided in this subdivision, but in no event earlier than July 1, 2005, and provided the user fee imposed under section 17b-320 is required to be collected, for the fiscal year ending June 30, 2006, the department shall compute the rate for each facility based upon its 2003 cost report filing or a subsequent cost year filing for facilities having an interim rate for the period ending June 30, 2005, as provided under section 17-311-55 of the regulations of Connecticut state agencies. For each facility not having an interim rate for the period ending June 30, 2005, the rate for the period ending June 30, 2006, shall be determined beginning with the higher of the computed rate based upon its 2003

cost report filing or the rate in effect for the period ending June 30, 2005. Such rate shall then be increased by eleven dollars and eighty cents per day except that in no event shall the rate for the period ending June 30, 2006, be thirty-two dollars more than the rate in effect for the period ending June 30, 2005, and for any facility with a rate below one hundred ninety-five dollars per day for the period ending June 30, 2005, such rate for the period ending June 30, 2006, shall not be greater than two hundred seventeen dollars and forty-three cents per day and for any facility with a rate equal to or greater than one hundred ninety-five dollars per day for the period ending June 30, 2005, such rate for the period ending June 30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by eleven and one-half per cent. For each facility with an interim rate for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by eleven dollars and eighty cents per day plus the per day cost of the user fee payments made pursuant to section 17b-320 divided by annual resident service days, except for any facility with an interim rate below one hundred ninety-five dollars per day for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not be greater than two hundred seventeen dollars and forty-three cents per day and for any facility with an interim rate equal to or greater than one hundred ninety-five dollars per day for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by eleven and one-half per cent. Such July 1, 2005, rate adjustments shall remain in effect unless (i) the federal financial participation matching funds associated with the rate increase are no longer available; or (ii) the user fee created pursuant to section 17b-320 is not in effect. For the fiscal year ending June 30, 2007, each facility shall receive a rate that is three per cent greater than the rate in effect for the period ending June 30, 2006, except any facility that would have been issued a lower rate effective July 1, 2006, than for the rate period ending June 30, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2006. For the fiscal year ending June 30, 2008, each facility shall receive a rate that is two and nine-tenths per cent greater than the rate in effect for the period ending June 30, 2007, except any facility that would have been issued a lower rate effective July 1, 2007, than for the rate period ending June 30, 2007, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2007. For the fiscal year ending June 30, 2009, rates in effect for the period ending June 30, 2008, shall remain in effect until June 30, 2009, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2009, due to interim rate status or agreement with the department shall be issued such lower rate. For the fiscal years ending June 30, 2010, and June 30, 2011, rates in effect for the period ending June 30, 2009, shall remain in effect until June 30, 2011, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal year ending June 30, 2011, due to interim rate status or agreement with the department, shall be issued such lower rate. For the fiscal years ending June 30, 2012, and June 30, 2013, rates in effect for the period ending June 30, 2011, shall remain in effect until June 30, 2013, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2012, or the fiscal year ending June 30, 2013, due to interim rate status or agreement with the department, shall be issued such lower rate. For the fiscal year ending June 30, 2014, the department shall determine facility rates based upon 2011 cost report filings subject to the provisions of this section and applicable

regulations except: (I) A ninety per cent minimum occupancy standard shall be applied; (II) no facility shall receive a rate that is higher than the rate in effect on June 30, 2013; and (III) no facility shall receive a rate that is more than four per cent lower than the rate in effect on June 30, 2013, except that any facility that would have been issued a lower rate effective July 1, 2013, than for the rate period ending June 30, 2013, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2013. For the fiscal year ending June 30, 2015, rates in effect for the period ending June 30, 2014, shall remain in effect until June 30, 2015, except any facility that would have been issued a lower rate effective July 1, 2014, than for the rate period ending June 30, 2014, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2014. [A>For the fiscal years ending June 30, 2016, and June 30, 2017, rates shall not exceed those in effect for the period ending June 30, 2015, except the rate paid to a facility may be higher than the rate paid to the facility for the period ending June 30, 2015, if the commissioner provides, within available appropriations, pro rata fair rent increases, which may, at the discretion of the commissioner, include increases for facilities which have undergone a material change in circumstances related to fair rent additions or moveable equipment placed in service in cost report years ending September 30, 2014, and September 30, 2015, and not otherwise included in rates issued. For the fiscal years ending June 30, 2016, and June 30, 2017, and each succeeding fiscal year, any facility that would have been issued a lower rate, due to interim rate status, a change in allowable fair rent or agreement with the department, shall be issued such lower rate.<A] The Commissioner of Social Services shall add fair rent increases to any other rate increases established pursuant to this subdivision for a facility which has undergone a material change in circumstances related to fair rent, except for the fiscal years ending June 30, 2010, June 30, 2011, and June 30, 2012, such fair rent increases shall only be provided to facilities with an approved certificate of need pursuant to section 17b-352, 17b-353, 17b-354 [A>, as amended by this act,<A] or 17b-355. For the fiscal year ending June 30, 2013, the commissioner may, within available appropriations, provide pro rata fair rent increases for facilities which have undergone a material change in circumstances related to fair rent additions placed in service in cost report years ending September 30, 2008, to September 30, 2011, inclusive, and not otherwise included in rates issued. For the fiscal years ending June 30, 2014, and June 30, 2015, the commissioner may, within available appropriations, provide pro rata fair rent increases, which may include moveable equipment at the discretion of the commissioner, for facilities which have undergone a material change in circumstances related to fair rent additions or moveable equipment placed in service in cost report years ending September 30, 2012, and September 30, 2013, and not otherwise included in rates issued. The commissioner shall add fair rent increases associated with an approved certificate of need pursuant to section 17b-352, 17b-353, 17b-354 [A>, as amended by this act,<A] or 17b-355. Interim rates may take into account reasonable costs incurred by a facility, including wages and benefits. Notwithstanding the provisions of this section, the Commissioner of Social Services may, subject to available appropriations, increase or decrease rates issued to licensed chronic and convalescent nursing homes and licensed rest homes with nursing supervision.[A>Notwithstanding any provision of this section, the Commissioner of Social Services shall, effective July 1, 2015, within available appropriations, adjust facility rates in accordance with the application of standard accounting principles as prescribed by the commissioner, for each facility subject to subsection (a) of this section. Such adjustment shall provide a pro-rata increase based on direct and

indirect care employee salaries reported in the 2014 annual cost report, and adjusted to reflect subsequent salary increases, to reflect reasonable costs mandated by collective bargaining agreements with certified collective bargaining agents, or otherwise provided by a facility to its employees. For purposes of this subsection, "employee" shall not include a person employed as a facility's manager, chief administrator, a person required to be licensed as a nursing home administrator or any individual who receives compensation for services pursuant to a contractual arrangement and who is not directly employed by the facility. The commissioner may establish an upper limit for reasonable costs associated with salary adjustments beyond which the adjustment shall not apply. Nothing in this section shall require the commissioner to distribute such adjustments in a way that jeopardizes anticipated federal reimbursement. Facilities that receive such adjustment but do not provide increases in employee salaries as described in this subsection on or before July 31, 2015, may be subject to a rate decrease in the same amount as the adjustment by the commissioner. Of the amount appropriated for this purpose, no more than nine million dollars shall go to increases based on reasonable costs mandated by collective bargaining agreements.<A]

Sec. 378. Subsection (g) of section 17b-340 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(g) For the fiscal year ending June 30, 1993, any intermediate care facility for individuals with intellectual disabilities with an operating cost component of its rate in excess of one hundred forty per cent of the median of operating cost components of rates in effect January 1, 1992, shall not receive an operating cost component increase. For the fiscal year ending June 30, 1993, any intermediate care facility for individuals with intellectual disabilities with an operating cost component of its rate that is less than one hundred forty per cent of the median of operating cost components of rates in effect January 1, 1992, shall have an allowance for real wage growth equal to thirty per cent of the increase determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, provided such operating cost component shall not exceed one hundred forty per cent of the median of operating cost components in effect January 1, 1992. Any facility with real property other than land placed in service prior to October 1, 1991, shall, for the fiscal year ending June 30, 1995, receive a rate of return on real property equal to the average of the rates of return applied to real property other than land placed in service for the five years preceding October 1, 1993. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the rate of return on real property for property items shall be revised every five years. The commissioner shall, upon submission of a request, allow actual debt service, comprised of principal and interest, in excess of property costs allowed pursuant to section 17-311-52 of the regulations of Connecticut state agencies, provided such debt service terms and amounts are reasonable in relation to the useful life and the base value of the property. For the fiscal year ending June 30, 1995, and any succeeding fiscal year, the inflation adjustment made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies shall not be applied to real property costs. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the allowance for real wage growth, as determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, shall not be applied. For the fiscal year

ending June 30, 1996, and any succeeding fiscal year, no rate shall exceed three hundred seventy-five dollars per day unless the commissioner, in consultation with the Commissioner of Developmental Services, determines after a review of program and management costs, that a rate in excess of this amount is necessary for care and treatment of facility residents. For the fiscal year ending June 30, 2002, rate period, the Commissioner of Social Services shall increase the inflation adjustment for rates made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies to update allowable fiscal year 2000 costs to include a three and one-half per cent inflation factor. For the fiscal year ending June 30, 2003, rate period, the commissioner shall increase the inflation adjustment for rates made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies to update allowable fiscal year 2001 costs to include a one and one-half per cent inflation factor, except that such increase shall be effective November 1, 2002, and such facility rate in effect for the fiscal year ending June 30, 2002, shall be paid for services provided until October 31, 2002, except any facility that would have been issued a lower rate effective July 1, 2002, than for the fiscal year ending June 30, 2002, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2002, and have such rate updated effective November 1, 2002, in accordance with applicable statutes and regulations. For the fiscal year ending June 30, 2004, rates in effect for the period ending June 30, 2003, shall remain in effect, except any facility that would have been issued a lower rate effective July 1, 2003, than for the fiscal year ending June 30, 2003, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2003. For the fiscal year ending June 30, 2005, rates in effect for the period ending June 30, 2004, shall remain in effect until September 30, 2004. Effective October 1, 2004, each facility shall receive a rate that is five per cent greater than the rate in effect September 30, 2004. Effective upon receipt of all the necessary federal approvals to secure federal financial participation matching funds associated with the rate increase provided in subdivision (4) of subsection (f) of this section, but in no event earlier than October 1, 2005, and provided the user fee imposed under section 17b-320 is required to be collected, each facility shall receive a rate that is four per cent more than the rate the facility received in the prior fiscal year, except any facility that would have been issued a lower rate effective October 1, 2005, than for the fiscal year ending June 30, 2005, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2005. Such rate increase shall remain in effect unless: (1) The federal financial participation matching funds associated with the rate increase are no longer available; or (2) the user fee created pursuant to section 17b-320 is not in effect. For the fiscal year ending June 30, 2007, rates in effect for the period ending June 30, 2006, shall remain in effect until September 30, 2006, except any facility that would have been issued a lower rate effective July 1, 2006, than for the fiscal year ending June 30, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2006. Effective October 1, 2006, no facility shall receive a rate that is more than three per cent greater than the rate in effect for the facility on September 30, 2006, except any facility that would have been issued a lower rate effective October 1, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2006. For the fiscal year ending June 30, 2008, each facility shall receive a rate that is two and nine-tenths per cent greater than the rate in effect for the period ending June 30, 2007, except any facility that would have been issued a lower rate effective July 1, 2007, than

for the rate period ending June 30, 2007, due to interim rate status, or agreement with the department, shall be issued such lower rate effective July 1, 2007. For the fiscal year ending June 30, 2009, rates in effect for the period ending June 30, 2008, shall remain in effect until June 30, 2009, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2009, due to interim rate status or agreement with the department, shall be issued such lower rate. For the fiscal years ending June 30, 2010, and June 30, 2011, rates in effect for the period ending June 30, 2009, shall remain in effect until June 30, 2011, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal year ending June 30, 2011, due to interim rate status or agreement with the department, shall be issued such lower rate. For the fiscal year ending June 30, 2012, rates in effect for the period ending June 30, 2011, shall remain in effect until June 30, 2012, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2012, due to interim rate status or agreement with the department, shall be issued such lower rate. For the fiscal years ending June 30, 2014, and June 30, 2015, rates shall not exceed those in effect for the period ending June 30, 2013, except the rate paid to a facility may be higher than the rate paid to the facility for the period ending June 30, 2013, if a capital improvement approved by the Department of Developmental Services, in consultation with the Department of Social Services, for the health or safety of the residents was made to the facility during the fiscal year ending June 30, 2014, or June 30, 2015, only to the extent such rate increases are within available appropriations. Any facility that would have been issued a lower rate for the fiscal year ending June 30, 2014, or the fiscal year ending June 30, 2015, due to interim rate status or agreement with the department, shall be issued such lower rate. [A>For the fiscal years ending June 30, 2016, and June 30, 2017, rates shall not exceed those in effect for the period ending June 30, 2015, except the rate paid to a facility may be higher than the rate paid to the facility for the period ending June 30, 2015, if a capital improvement approved by the Department of Developmental Services, in consultation with the Department of Social Services, for the health or safety of the residents was made to the facility during the fiscal year ending June 30, 2016, or June 30, 2017, only to the extent such rate increases are within available appropriations. For the fiscal years ending June 30, 2016, and June 30, 2017, and each succeeding fiscal year, any facility that would have been issued a lower rate, due to interim rate status, a change in allowable fair rent or agreement with the department, shall be issued such lower rate.<A] Any facility that has a significant decrease in land and building costs shall receive a reduced rate to reflect such decrease in land and building costs. For the fiscal years ending June 30, 2012, June 30, 2013,

June 30, 2014,

[D>and<D] June 30, 2015,

[A>June 30, 2016, and June 30, 2017,<A] the

Commissioner of Social Services may provide fair rent increases to any facility that has undergone a material change in circumstances related to fair rent and has an approved certificate of need pursuant to section 17b-352, 17b-353, 17b-354 [A>, as amended by this act,<A] or 17b-355. Notwithstanding the provisions of this section, the Commissioner of Social Services may, within available appropriations, increase or decrease rates issued to intermediate care facilities for individuals with intellectual disabilities

to reflect a reduction in available appropriations as provided in subsection (a) of this section. For the fiscal years ending June 30, 2014, and June 30, 2015, the commissioner shall not consider rebasing in determining rates.

Sec. 379. Subsection (a) of section 17b-244 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The room and board component of the rates to be paid by the state to private facilities and facilities operated by regional education service centers which are licensed to provide residential care pursuant to section 17a-227, but not certified to participate in the Title XIX Medicaid program as intermediate care facilities for individuals with intellectual disabilities, shall be determined annually by the Commissioner of Social Services, except that rates effective April 30, 1989, shall remain in effect through October 31, 1989. Any facility with real property other than land placed in service prior to July 1, 1991, shall, for the fiscal year ending June 30, 1995, receive a rate of return on real property equal to the average of the rates of return applied to real property other than land placed in service for the five years preceding July 1, 1993. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the rate of return on real property for property items shall be revised every five years. The commissioner shall, upon submission of a request by such facility, allow actual debt service, comprised of principal and interest, on the loan or loans in lieu of property costs allowed pursuant to section 17-313b-5 of the regulations of Connecticut state agencies, whether actual debt service is higher or lower than such allowed property costs, provided such debt service terms and amounts are reasonable in relation to the useful life and the base value of the property. In the case of facilities financed through the Connecticut Housing Finance Authority, the commissioner shall allow actual debt service, comprised of principal, interest and a reasonable repair and replacement reserve on the loan or loans in lieu of property costs allowed pursuant to section 17-313b-5 of the regulations of Connecticut state agencies, whether actual debt service is higher or lower than such allowed property costs, provided such debt service terms and amounts are determined by the commissioner at the time the loan is entered into to be reasonable in relation to the useful life and base value of the property. The commissioner may allow fees associated with mortgage refinancing provided such refinancing will result in state reimbursement savings, after comparing costs over the terms of the existing proposed loans. For the fiscal year ending June 30, 1992, the inflation factor used to determine rates shall be one-half of the gross national product percentage increase for the period between the midpoint of the cost year through the midpoint of the rate year. For fiscal year ending June 30, 1993, the inflation factor used to determine rates shall be two-thirds of the gross national product percentage increase from the midpoint of the cost year to the midpoint of the rate year. For the fiscal years ending June 30, 1996, and June 30, 1997, no inflation factor shall be applied in determining rates. The Commissioner of Social Services shall prescribe uniform forms on which such facilities shall report their costs. Such rates shall be determined on the basis of a reasonable payment for necessary services. Any increase in grants, gifts, fund-raising or endowment income used for the payment of operating costs by a private facility in the fiscal year ending June 30, 1992, shall be excluded by the commissioner from the income of the facility in determining the rates to be paid to the facility for the fiscal year ending June 30, 1993, provided any operating costs funded by such increase shall not

obligate the state to increase expenditures in subsequent fiscal years. Nothing contained in this section shall authorize a payment by the state to any such facility in excess of the charges made by the facility for comparable services to the general public. The service component of the rates to be paid by the state to private facilities and facilities operated by regional education service centers which are licensed to provide residential care pursuant to section 17a-227, but not certified to participate in the Title XIX Medicaid programs as intermediate care facilities for individuals with intellectual disabilities, shall be determined annually by the Commissioner of Developmental Services in accordance with section 17b-244a. For the fiscal year ending June 30, 2008, no facility shall receive a rate that is more than two per cent greater than the rate in effect for the facility on June 30, 2007, except any facility that would have been issued a lower rate effective July 1, 2007, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2007. For the fiscal year ending June 30, 2009, no facility shall receive a rate that is more than two per cent greater than the rate in effect for the facility on June 30, 2008, except any facility that would have been issued a lower rate effective July 1, 2008, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2008. For the fiscal years ending June 30, 2010, and June 30, 2011, rates in effect for the period ending June 30, 2009, shall remain in effect until June 30, 2011, except that (1) the rate paid to a facility may be higher than the rate paid to the facility for the period ending June 30, 2009, if a capital improvement required by the Commissioner of Developmental Services for the health or safety of the residents was made to the facility during the fiscal years ending June 30, 2010, or June 30, 2011, and (2) any facility that would have been

issued a lower rate for the fiscal

[D>years<D]

[A>year<A] ending June 30, 2010, or June 30,

2011, due to interim rate status or agreement with the department, shall be issued such lower rate. For the fiscal year ending June 30, 2012, rates in effect for the period ending June 30, 2011, shall remain in effect until June 30, 2012, except that (A) the rate paid to a facility may be higher than the rate paid to the facility for the period ending June 30, 2011, if a capital improvement required by the Commissioner of Developmental Services for the health or safety of the residents was made to the facility during the fiscal year ending June 30, 2012, and (B) any facility that would have been issued a lower rate for the fiscal year ending June 30, 2012, due to interim rate status or agreement with the department, shall be issued such lower rate. Any facility that has a significant decrease in land and building costs shall receive a reduced rate to reflect such decrease in land and building costs. The rate paid to a facility may be increased if a capital improvement approved by the Department of Developmental Services, in consultation with the Department of Social Services, for the health or safety of the residents was made to the facility during the fiscal year ending June 30, 2014, or June 30, 2015, only to the extent such increases are within available appropriations. [A>For the fiscal years ending June 30, 2016, and June 30, 2017, rates shall not exceed those in effect for the period ending June 30, 2015, except the rate paid to a facility may be higher than the rate paid to the facility for the period ending June 30, 2015, if a capital improvement approved by the Department of Developmental Services, in consultation with the

Department of Social Services, for the health or safety of the residents was made to the facility during the fiscal year ending June 30, 2016, or June 30, 2017, only to the extent such rate increases are within available appropriations. For the fiscal years ending June 30, 2016, and June 30, 2017, and each succeeding fiscal year, any facility that would have been issued a lower rate, due to interim rate status, a change in allowable fair rent or agreement with the department, shall be issued such lower rate.<A]

Sec. 380. Subdivision (1) of subsection (h) of section 17b-340 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(h) (1) For the fiscal year ending June 30, 1993, any residential care home with an operating cost component of its rate in excess of one hundred thirty per cent of the median of operating cost components of rates in effect January 1, 1992, shall not receive an operating cost component increase. For the fiscal year ending June 30, 1993, any residential care home with an operating cost component of its rate that is less than one hundred thirty per cent of the median of operating cost components of rates in effect January 1, 1992, shall have an allowance for real wage growth equal to sixty-five per cent of the increase determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, provided such operating cost component shall not exceed one hundred thirty per cent of the median of operating cost components in effect January 1, 1992. Beginning with the fiscal year ending June 30, 1993, for the purpose of determining allowable fair rent, a residential care home with allowable fair rent less than the twenty-fifth percentile of the state-wide allowable fair rent shall be reimbursed as having allowable fair rent equal to the twenty-fifth percentile of the state-wide allowable fair rent. Beginning with the fiscal year ending June 30, 1997, a residential care home with allowable fair rent less than three dollars and ten cents per day shall be reimbursed as having allowable fair rent equal to three dollars and ten cents per day. Property additions placed in service during the cost year ending September 30, 1996, or any succeeding cost year shall receive a fair rent allowance for such additions as an addition to three dollars and ten cents per day if the fair rent for the facility for property placed in service prior to September 30, 1995, is less than or equal to three dollars and ten cents per day. [A>Beginning with the fiscal year ending June 30, 2016, a residential care home shall be reimbursed the greater of the allowable accumulated fair rent reimbursement associated with real property additions and land as calculated on a per day basis or three dollars and ten cents per day if the allowable reimbursement associated with real property additions and land is less than three dollars and ten cents per day.<A] For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the allowance for real wage growth, as determined in accordance with subsection (q) of section 17-311-52 of the regulations of Connecticut state agencies, shall not be applied. For the fiscal year ending June 30, 1996, and any succeeding fiscal year, the inflation adjustment made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies shall not be applied to real property costs. Beginning with the fiscal year ending June 30, 1997, minimum allowable patient days for rate computation purposes for a residential care home with twenty-five beds or less shall be eighty-five per cent of licensed capacity. Beginning with the fiscal year ending June 30, 2002, for the purposes of determining the allowable salary of an administrator of a residential care home with sixty beds or less the department shall revise the allowable base salary to thirty-seven thousand dollars to be annually inflated

thereafter in accordance with section 17-311-52 of the regulations of Connecticut state agencies. The rates for the fiscal year ending June 30, 2002, shall be based upon the increased allowable salary of an administrator, regardless of whether such amount was expended in the 2000 cost report period upon which the rates are based. Beginning with the fiscal year ending June 30, 2000, and until the fiscal year ending June 30, 2009, inclusive, the inflation adjustment for rates made in accordance with subsection (p) of section 17-311-52 of the regulations of Connecticut state agencies shall be increased by two per cent, and beginning with the fiscal year ending June 30, 2002, the inflation adjustment for rates made in accordance with subsection (c) of said section shall be increased by one per cent. Beginning with the fiscal year ending June 30, 1999, for the purpose of determining the allowable salary of a related party, the department shall revise the maximum salary to twenty-seven thousand eight hundred fifty-six dollars to be annually inflated thereafter in accordance with section 17-311-52 of the regulations of Connecticut state agencies and beginning with the fiscal year ending June 30, 2001, such allowable salary shall be computed on an hourly basis and the maximum number of hours allowed for a related party other than the proprietor shall be increased from forty hours to forty-eight hours per work week. For the fiscal year ending June 30, 2005, each facility shall receive a rate that is two and one-quarter per cent more than the rate the facility received in the prior fiscal year, except any facility that would have been issued a lower rate effective July 1, 2004, than for the fiscal year ending June 30, 2004, due to interim rate status or agreement with the department shall be issued such lower rate effective July 1, 2004. Effective upon receipt of all the necessary federal approvals to secure federal financial participation matching funds associated with the rate increase provided in subdivision (4) of subsection (f) of this section, but in no event earlier than October 1, 2005, and provided the user fee imposed under section 17b-320 is required to be collected, each facility shall receive a rate that is determined in accordance with applicable law and subject to appropriations, except any facility that would have been issued a lower rate effective October 1, 2005, than for the fiscal year ending June 30, 2005, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2005. Such rate increase shall remain in effect unless: (A) The federal financial participation matching funds associated with the rate increase are no longer available; or (B) the user fee created pursuant to section 17b-320 is not in effect. For the fiscal year ending June 30, 2007, rates in effect for the period ending June 30, 2006, shall remain in effect until September 30, 2006, except any facility that would have been issued a lower rate effective July 1, 2006, than for the fiscal year ending June 30, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2006. Effective October 1, 2006, no facility shall receive a rate that is more than four per cent greater than the rate in effect for the facility on September 30, 2006, except for any facility that would have been issued a lower rate effective October 1, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective October 1, 2006. For the fiscal years ending June 30, 2010, and June 30, 2011, rates in effect for the period ending June 30, 2009, shall remain in effect until June 30, 2011, except any facility that would have been issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal year ending June 30, 2011, due to interim rate status or agreement with the department, shall be issued such lower rate, except (i) any facility that would have been issued a lower rate for the fiscal year ending June 30, 2010, or the fiscal year ending June 30, 2011, due to interim rate status or agreement with the Commissioner of Social Services shall be issued such lower rate; and (ii) the

commissioner may increase a facility's rate for reasonable costs associated with such facility's compliance with the provisions of section 19a-495a concerning the administration of medication by unlicensed personnel. For the fiscal year ending June 30, 2012, rates in effect for the period ending June 30, 2011, shall remain in effect until June 30, 2012, except that (I) any facility that would have been issued a lower rate for the fiscal year ending June 30, 2012, due to interim rate status or agreement with the Commissioner of Social Services shall be issued such lower rate; and (II) the commissioner may increase a facility's rate for reasonable costs associated with such facility's compliance with the provisions of section 19a-495a concerning the administration of medication by unlicensed personnel. For the fiscal year ending June 30, 2013, the Commissioner of Social Services may, within available appropriations, provide a rate increase to a residential care home. Any facility that would have been issued a lower rate for the fiscal year ending June 30, 2013, due to interim rate status or agreement with the Commissioner of Social Services shall be issued such lower rate. For the fiscal years ending June 30, 2012, and June 30, 2013, the Commissioner of Social Services may provide fair rent increases to any facility that has undergone a material change in circumstances related to fair rent and has an approved certificate of need pursuant to section 17b-352, 17b-353, 17b-354 [A>, as amended by this act,<A] or 17b-355. For the fiscal years ending June 30, 2014, and June 30, 2015, for those facilities that have a calculated rate greater than the rate in effect for the fiscal year ending June 30, 2013, the commissioner may increase facility rates based upon available appropriations up to a stop gain as determined by the commissioner. No facility shall be issued a rate that is lower than the rate in effect on June 30, 2013, except that any facility that would have been issued a lower rate for the fiscal year ending June 30, 2014, or the fiscal year ending June 30, 2015, due to interim rate status or agreement with the commissioner, shall be issued such lower rate. For the fiscal year ending June 30, 2014, and each fiscal year thereafter, a residential care home shall receive a rate increase for any capital improvement made during the fiscal year for the health and safety of residents and approved by the Department of Social Services, provided such rate increase is within available appropriations. For the fiscal year ending June 30, 2015, and each succeeding fiscal year thereafter, costs of less than ten thousand dollars that are incurred by a facility and are associated with any land, building or nonmovable equipment repair or improvement that are reported in the cost year used to establish the facility's rate shall not be capitalized for a period of more than five years for rate-setting purposes. For the fiscal year ending June 30, 2015, subject to available appropriations, the commissioner may, at the commissioner's discretion: Increase the inflation cost limitation under subsection (c) of section 17-311-52 of the regulations of Connecticut state agencies, provided such inflation allowance factor does not exceed a maximum of five per cent; establish a minimum rate of return applied to real property of five per cent inclusive of assets placed in service during cost year 2013; waive the standard rate of return under subsection (f) of section 17-311-52 of the regulations of Connecticut state agencies for ownership changes or health and safety improvements that exceed one hundred thousand dollars and that are required under a consent order from the Department of Public Health; and waive the rate of return adjustment under subsection (f) of section 17-311-52 of the regulations of Connecticut state agencies to avoid financial hardship. [A>For the fiscal years ending June 30, 2016, and June 30, 2017, rates shall not exceed those in effect for the period ending June 30, 2015, except the commissioner may, in the commissioner's discretion and within available appropriations, provide pro rata fair rent increases to

facilities which have documented fair rent additions placed in service in cost report years ending September 30, 2014, and September 30, 2015, that are not otherwise included in rates issued. For the fiscal years ending June 30, 2016, and June 30, 2017, and each succeeding fiscal year, any facility that would have been issued a lower rate, due to interim rate status, a change in allowable fair rent or agreement with the department, shall be issued such lower rate.<A]

Sec. 381. Subsection (a) of section 17b-280 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The state shall reimburse for all legend drugs provided under medical assistance programs administered by the Department of Social Services at the lower of (1) the rate established by the Centers for Medicare and Medicaid Services as the federal acquisition cost, (2) the average wholesale price minus sixteen [A>and one-half<A] per cent, or (3) an equivalent percentage as established under the Medicaid state plan. The state shall pay a professional fee of one dollar and

[D>seventy<D]

[A>forty<A] cents to licensed pharmacies for each prescription dispensed to a

recipient of benefits under a medical assistance program administered by the Department of Social Services in accordance with federal regulations. On and after September 4, 1991, payment for legend and nonlegend drugs provided to Medicaid recipients shall be based upon the actual package size dispensed. Effective October 1, 1991, reimbursement for over-the-counter drugs for such recipients shall be limited to those over-the-counter drugs and products published in the Connecticut Formulary, or the cross reference list, issued by the commissioner. The cost of all over-the-counter drugs and products provided to residents of nursing facilities, chronic disease hospitals, and intermediate care facilities for individuals with intellectual disabilities shall be included in the facilities' per diem rate. Notwithstanding the provisions of this subsection, no dispensing fee shall be issued for a prescription drug dispensed to a Medicaid recipient who is a Medicare Part D beneficiary when the prescription drug is a Medicare Part D drug, as defined in Public Law 108-173, the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

Sec. 382. Subsection (b) of section 17b-239e of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(b) The commissioner may establish a blended inpatient hospital case rate that includes services provided to all Medicaid recipients and may exclude certain diagnoses, as determined by the commissioner, if the establishment of such rates is needed to ensure that the conversion to an administrative services organization is cost neutral to hospitals in the aggregate and ensures patient access. Utilization may be a factor in determining cost neutrality. The Department of

Social Services

[D>shall<D]

[A>may<A] establish, within available appropriations, a supplemental inpatient pool for

[D>low-cost<D]

[A>certain<A] hospitals.

Sec. 383. Subsection (i) of section 17b-342 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(i) (1) On and after July 1,

[D>1992<D]

[A>2015<A] , the Commissioner of Social Services

shall, within available appropriations, administer a state-funded portion of the program for persons (A) who are sixty-five years of age and older; (B) who are inappropriately institutionalized or at risk of inappropriate institutionalization; (C) whose income is less than or equal to the amount allowed under subdivision (3) of subsection (a) of this section; and (D) whose assets, if single, [D>do not exceed the minimum community spouse protected amount pursuant to Section 4022. 05 of the department's uniform policy manual or, if married, the couple's assets do not exceed one hundred fifty per cent of said community spouse protected amount and on and after April 1, 2007, whose assets, if single,<D] do not exceed one hundred fifty per cent of the [A>federal<A] minimum community spouse protected amount pursuant to [D>Section 4022. 05 of the department's uniform policy

manual<D]

[A>42 USC 1396r-5(f)(2)<A] or, if married, the couple's assets do not exceed

two hundred per cent of said community spouse protected amount. [A>For program applications received by the Department of Social Services for the fiscal years ending June 30, 2016, and June 30, 2017, only persons who require the level of care provided in a nursing home shall be eligible for the state-funded portion of the program, except for persons residing in affordable housing under the assisted living demonstration project established pursuant to section 17b-347e who are otherwise eligible in accordance with this section.<A]

(2) Except for persons residing in affordable housing under the assisted living demonstration project established pursuant to section 17b-347e, as provided in subdivision (3) of this subsection, any person whose income is at or below two hundred per cent of the federal poverty level and who is ineligible for Medicaid shall contribute [D>seven<D] [A>nine<A] per cent of the cost of his or her care. Any person whose income exceeds two hundred per cent of the federal poverty level shall contribute [D>seven<D]

[A>nine<A] per cent of the cost of his or her care in addition to the amount of applied income determined in accordance with the methodology established by the Department of Social Services for recipients of medical assistance. Any person who does not contribute to the cost of care in accordance with this subdivision shall be ineligible to receive services under this subsection. Notwithstanding any provision of [D>the general statutes<D] [A> sections 17b-60 and 17b-61<A] , the department shall not be required to provide an administrative hearing to a person found ineligible for services under this subsection because of a failure to contribute to the cost of care.

(3) Any person who resides in affordable housing under the assisted living demonstration project established pursuant to section 17b-347e and whose income is at or below two hundred per cent of the federal poverty level, shall not be required to contribute to the cost of care. Any person who resides in affordable housing under the assisted living demonstration project established pursuant to section 17b-347e and whose income exceeds two hundred per cent of the federal poverty level, shall contribute to the applied income amount determined in accordance with the methodology established by the Department of Social Services for recipients of medical assistance. Any person whose income exceeds two hundred per cent of the federal poverty level and who does not contribute to the cost of care in accordance with this subdivision shall be ineligible to receive services under this subsection. Notwithstanding any provision of [D>the general statutes<D] [A> sections 17b-60 and 17b-61<A] , the department shall not be required to provide an administrative hearing to a person found ineligible for services under this subsection because of a failure to contribute to the cost of care.

(4) The annualized cost of services provided to an individual under the state-funded portion of the program shall not exceed fifty per cent of the weighted average cost of care in nursing homes in the state, except an individual who received services costing in excess of such amount under the Department of Social Services in the fiscal year ending June 30, 1992, may continue to receive such services, provided the annualized cost of such services does not exceed eighty per cent of the weighted average cost of such nursing home care. The commissioner may allow the cost of services provided to an individual to exceed the maximum cost established pursuant to this subdivision in a case of extreme hardship, as determined by the commissioner, provided in no case shall such cost exceed that of the weighted cost of such nursing home care.

Sec. 384. Section 17b-131 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

When a person in any town, or sent from such town to any licensed institution or state humane institution, dies or is found dead therein and does not leave sufficient estate or has no legally liable relative able to pay the cost of a proper funeral and burial, or upon the death of any beneficiary under the state-administered general assistance program, the Commissioner of Social Services shall give to such person a proper funeral and burial, and shall pay a sum not

exceeding one thousand
[D>eight<D]

[A>four<A] hundred dollars as an allowance toward the

funeral expenses of such deceased, said sum to be paid, upon submission of a proper bill, to the funeral director, cemetery or crematory, as the case may be. Such payment for funeral and burial expenses shall be reduced by (1) the amount in any revocable or irrevocable funeral fund, (2) any prepaid funeral contract, (3) the face value of any life insurance policy owned by the decedent, and (4)

contributions in excess of

[D>two thousand eight<D]

[A>three thousand two<A] hundred

dollars toward such funeral and burial expenses from all other sources including friends, relatives and all other persons, organizations, veterans' and other benefit programs and other agencies.

Sec. 385. Section 17b-84 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

Upon the death of any beneficiary under the state supplement or the temporary family assistance program, the Commissioner of Social Services shall order the

payment of a sum not to exceed one thousand

[D>eight<D]

[A>four<A] hundred dollars as an

allowance toward the funeral and burial expenses of such deceased. The payment for funeral and burial expenses shall be reduced by the amount in any revocable or irrevocable funeral fund, prepaid funeral contract or the face value of any life insurance policy owned by the recipient. Contributions may be made by any person for the cost of the funeral and burial expenses of the deceased over and above the sum established under this section without thereby diminishing the state's obligation.

Sec. 386. Subsection (c) of section 17b-265d of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(c) A full benefit dually eligible Medicare Part D beneficiary shall be responsible for any Medicare Part D prescription drug copayments imposed pursuant to Public Law 108-173, the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 [A><A] [D>, in amounts not to exceed fifteen dollars per month. The department shall be responsible for payment, on behalf of such beneficiary, of any Medicare Part D prescription drug copayments in any month in which such copayment amounts exceed fifteen dollars in the aggregate.<D]

Sec. 387. Subsection (c) of section 17b-242 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(c) The home health services fee schedule shall include a fee for the administration of medication, which

shall apply when the purpose of a nurse's visit is limited to the administration of medication. Administration of medication may include, but is not limited to, blood pressure checks, glucometer readings, pulse rate checks and similar indicators of health status. The fee for medication administration shall include administration of medications while the nurse is present, the pre-pouring of additional doses that the client will self-administer at a later time and the teaching of self-administration. The department shall not pay for medication administration in addition to any other nursing service at the same visit. The department may establish prior authorization requirements for this service. Before implementing such change, the Commissioner of Social Services shall consult with the chairpersons of the joint standing committees of the General Assembly having cognizance of matters relating to public health and human services. [A>The commissioner shall monitor Medicaid home health care savings achieved through the implementation of nurse delegation of medication administration pursuant to section 19a-492e. If, by January 1, 2016, the commissioner determines that the rate of savings is not adequate to meet the annualized savings assumed in the budget for the biennium ending June 30, 2017, the department may reduce rates for medication administration as necessary to achieve the savings assumed in the budget. Prior to any rate reduction, the department shall report to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and human services provider specific cost and utilization trend data for those patients receiving medication administration. Should the department determine it necessary to reduce medication administration rates under this section, it shall examine the possibility of establishing a separate Medicaid supplemental rate or a pay-for-performance program for those providers, as determined by the commissioner, who have established successful nurse delegation programs.<A]

Sec. 388. Subsection (d) of section 17b-265 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(d) When a recipient of medical assistance has personal health insurance in force covering care or other benefits provided under such program, payment or part-payment of the premium for such insurance may be made when deemed appropriate by the Commissioner of Social Services. Effective January 1, 1992, the commissioner shall limit reimbursement to medical assistance providers [D>, except those providers whose rates are established by the Commissioner of Public Health pursuant to chapter 368d.<D] for coinsurance and deductible payments under Title XVIII of the Social Security Act to assure that the combined Medicare and Medicaid payment to the provider shall not exceed the maximum allowable under the Medicaid program fee schedules.

Sec. 389. Section 17b-273 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

On and after April 1, 1983, the Commissioner of Social Services shall increase the payment rate for ambulance rides eligible under the state medical assistance program. [A>Subject to federal approval, beginning with the fiscal year commencing July 1, 2015, the Commissioner of Social Services shall, within available appropriations, revise the payment methodology for ambulance services under the Medicaid program to apply a relative value unit system similar to the payment methodology used in the

Medicare program. The basic life support nonemergency transport shall be designated as the base rate with the relative value unit system applied to basic life support nonemergency transports, basic life support emergency transports, advanced life support nonemergency transports, advanced life support emergency transports and paramedic intercept services. For purposes of this section, "relative value unit" means a numeric value for ambulance services relative to the value of a base level ambulance service.<A]

Sec. 390. (NEW) (Effective from passage) The Department of Social Services shall cover orthodontic services for a Medicaid recipient under twenty-one years of age when the Salzmann Handicapping Malocclusion Index indicates a correctly scored assessment for the recipient of twenty-six points or greater, subject to prior authorization requirements. If a recipient's score on the Salzmann Handicapping Malocclusion Index is less than twenty-six points, the Department of Social Services shall consider additional substantive information when determining the need for orthodontic services, including (1) documentation of the presence of other severe deviations affecting the oral facial structures; and (2) the presence of severe mental, emotional or behavioral problems or disturbances, as defined in the most current edition of the Diagnostic and Statistical Manual of Mental Disorders, published by the American Psychiatric Association, that affects the individual's daily functioning. The commissioner may implement policies and procedures necessary to administer the provisions of this section while in the process of adopting such policies and procedures in regulation form, provided the commissioner publishes notice of intent to adopt regulations on the eRegulations System not later than twenty days after the date of implementation.

Sec. 391. Subsection (a) of section 17b-354 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a)

[D>Except for applications deemed complete as of August 9, 1991, the<D]
[A>The<A]

Department of Social Services shall not accept or approve any requests for additional nursing home beds [A>,<A] [D>or modify the capital cost of any prior approval for the period from September 4, 1991, through June 30, 2016,<D] except (1) beds restricted to use by patients [D>with acquired immune deficiency syndrome or

traumatic brain injury<D]

[A>requiring neurological rehabilitation<A] ; (2) beds

associated with a continuing care facility which guarantees life care for its residents; (3) Medicaid certified beds to be relocated from one licensed nursing facility to another licensed nursing facility [D>, to a new facility<D] to meet a priority need identified in the strategic plan developed pursuant to subsection

(c) of section 17b-369 [A>, as amended by this act;<A] [D>, or to a small house nursing

home, as defined in section 17b-372<D]

[A>and (4) Medicaid beds to be relocated from a

licensed facility or facilities to a new licensed facility, provided at least one currently licensed facility is closed in the transaction, and the new facility bed total is not less than ten per cent lower than the total number of beds relocated. The facilities included in the bed relocation and closure shall be in accordance with the strategic plan developed pursuant to subsection (c) of section 17b-369, as amended by this act<A] , provided (A) the availability of beds in an area of need will not be adversely affected; [A>and<A] (B) no such relocation shall result in an increase in state expenditures [A>.<A] [D>; and (C) the relocation results in a reduction in the number of nursing facility beds in the state; (4) a request for no more than twenty beds submitted by a licensed nursing facility that participates in neither the Medicaid program nor the Medicare program, admits residents and provides health care to such residents without regard to their income or assets and demonstrates its financial ability to provide lifetime nursing home services to such residents without participating in the Medicaid program to the satisfaction of the department, provided the department does not accept or approve more than one request pursuant to this subdivision; (5) a request for no more than twenty beds associated with a freestanding facility dedicated to providing hospice care services for terminally ill persons operated by an organization previously authorized by the Department of Public Health to provide hospice services in accordance with section 19a-122b; and (6) new or existing Medicaid certified beds to be relocated from a licensed nursing facility in a municipality with a 2004 estimated population of one hundred twenty-five thousand to a location within the same municipality, provided such Medicaid certified beds do not exceed sixty beds. Notwithstanding the provisions of this subsection, any provision of the general statutes or any decision of the Office of Health Care Access, (i) the date by which construction shall begin for each nursing home certificate of need in effect August 1, 1991, shall be December 31, 1992, (ii) the date by which a nursing home shall be licensed under each such certificate of need shall be October 1, 1995, and (iii) the imposition of such dates shall not require action by the Commissioner of Social Services. Except as provided in subsection (c) of this section, a nursing home certificate of need in effect August 1, 1991, shall expire if construction has not begun or licensure has not been obtained in compliance with the dates set forth in subparagraphs (i) and (ii) of this subsection.<D]

Sec. 392. Subsection (a) of section 17b-340 of the general statutes, as amended by section 1 of public act 15-36, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) For purposes of this subsection, (1) a "related party" includes, but is not limited to, any company related to a chronic and convalescent nursing home through family association, common ownership, control or business association with any of the owners, operators or officials of such nursing home; (2) "company" means any person, partnership, association, holding company, limited liability company or corporation; (3) "family association" means a relationship by birth, marriage or domestic partnership; and

(4) "profit and loss statement" means the most recent annual statement on profits and losses finalized by a related party before the annual report mandated under this subsection. The rates to be paid by or for persons aided or cared for by the state or any town in this state to licensed chronic and convalescent nursing homes, to chronic disease hospitals associated with chronic and convalescent nursing homes, to rest homes with nursing supervision, to licensed residential care homes, as defined by section 19a-490, and to residential facilities for persons with intellectual disability that are licensed pursuant to section 17a-227 and certified to participate in the Title XIX Medicaid program as intermediate care facilities for individuals with intellectual disabilities, for room, board and services specified in licensing regulations issued by the licensing agency shall be determined annually, except as otherwise provided in this subsection, after a public hearing, by the Commissioner of Social Services, to be effective July first of each year except as otherwise provided in this subsection. Such rates shall be determined on a basis of a reasonable payment for such necessary services, which basis shall take into account as a factor the costs of such services. Cost of such services shall include reasonable costs mandated by collective bargaining agreements with certified collective bargaining agents or other agreements between the employer and employees, provided "employees" shall not include persons employed as managers or chief administrators or required to be licensed as nursing home administrators, and compensation for services rendered by proprietors at prevailing wage rates, as determined by application of principles of accounting as prescribed by said commissioner. Cost of such services shall not include amounts paid by the facilities to employees as salary, or to attorneys or consultants as fees, where the responsibility of the employees, attorneys, or consultants is to persuade or seek to persuade the other employees of the facility to support or oppose unionization. Nothing in this subsection shall prohibit inclusion of amounts paid for legal counsel related to the negotiation of collective bargaining agreements, the settlement of grievances or normal administration of labor relations. The commissioner may, in the commissioner's discretion, allow the inclusion of extraordinary and unanticipated costs of providing services that were incurred to avoid an immediate negative impact on the health and safety of patients. The commissioner may, in the commissioner's discretion, based upon review of a facility's costs, direct care staff to patient ratio and any other related information, revise a facility's rate for any increases or decreases to total licensed capacity of more than ten beds or changes to its number of licensed rest home with nursing supervision beds and chronic and convalescent nursing home beds. [A>The commissioner may, in the commissioner's discretion, revise the rate of a facility that is closing. An interim rate issued for the period during which a facility is closing shall be based on a review of facility costs, the expected duration of the close-down period, the anticipated impact on Medicaid costs, available appropriations and the relationship of the rate requested by the facility to the average Medicaid rate for a close-down period.<A] The commissioner may so revise a facility's rate established for the fiscal year ending June 30, 1993, and thereafter for any bed increases, decreases or changes in licensure effective after October 1, 1989. Effective July 1, 1991, in facilities that have both a chronic and convalescent nursing home and a rest home with nursing supervision, the rate for the rest home with nursing supervision shall not exceed such facility's rate for its chronic and convalescent nursing home. All such facilities for which rates are determined under this subsection shall report on a fiscal year basis ending on September thirtieth. Such report shall be submitted to the commissioner by February fifteenth. Each for-profit chronic and

convalescent nursing home that receives state funding pursuant to this section shall include in such annual report a profit and loss statement from each related party that receives from such chronic and convalescent nursing home fifty thousand dollars or more per year for goods, fees and services. No cause of action or liability shall arise against the state, the Department of Social Services, any state official or agent for failure to take action based on the information required to be reported under this subsection. The commissioner may reduce the rate in effect for a facility that fails to submit a complete and accurate report on or before February fifteenth by an amount not to exceed ten per cent of such rate. If a licensed residential care home fails to submit a complete and accurate report, the department shall notify such home of the failure and the home shall have thirty days from the date the notice was issued to submit a complete and accurate report. If a licensed residential care home fails to submit a complete and accurate report not later than thirty days after the date of notice, such home may not receive a retroactive rate increase, in the commissioner's discretion. The commissioner shall, annually, on or before April first, report the data contained in the reports of such facilities to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies. For the cost reporting year commencing October 1, 1985, and for subsequent cost reporting years, facilities shall report the cost of using the services of any nursing pool employee by separating said cost into two categories, the portion of the cost equal to the salary of the employee for whom the nursing pool employee is substituting shall be considered a nursing cost and any cost in excess of such salary shall be further divided so that seventy-five per cent of the excess cost shall be considered an administrative or general cost and twenty-five per cent of the excess cost shall be considered a nursing cost, provided if the total nursing pool costs of a facility for any cost year are equal to or exceed fifteen per cent of the total nursing expenditures of the facility for such cost year, no portion of nursing pool costs in excess of fifteen per cent shall be classified as administrative or general costs. The commissioner, in determining such rates, shall also take into account the classification of patients or boarders according to special care requirements or classification of the facility according to such factors as facilities and services and such other factors as the commissioner deems reasonable, including anticipated fluctuations in the cost of providing such services. The commissioner may establish a separate rate for a facility or a portion of a facility for traumatic brain injury patients who require extensive care but not acute general hospital care. Such separate rate shall reflect the special care requirements of such patients. If changes in federal or state laws, regulations or standards adopted subsequent to June 30, 1985, result in increased costs or expenditures in an amount exceeding one-half of one per cent of allowable costs for the most recent cost reporting year, the commissioner shall adjust rates and provide payment for any such increased reasonable costs or expenditures within a reasonable period of time retroactive to the date of enforcement. Nothing in this section shall be construed to require the Department of Social Services to adjust rates and provide payment for any increases in costs resulting from an inspection of a facility by the Department of Public Health. Such assistance as the commissioner requires from other state agencies or departments in determining rates shall be made available to the commissioner at the commissioner's request. Payment of the rates established pursuant to this section shall be conditioned on the establishment by such facilities of admissions procedures that conform with this section, section 19a-533 and all other applicable provisions of the law and the provision of equality of treatment to all persons in such facilities. The established rates shall be the

maximum amount chargeable by such facilities for care of such beneficiaries, and the acceptance by or on behalf of any such facility of any additional compensation for care of any such beneficiary from any other person or source shall constitute the offense of aiding a beneficiary to obtain aid to which the beneficiary is not entitled and shall be punishable in the same manner as is provided in subsection (b) of section 17b-97. For the fiscal year ending June 30, 1992, rates for licensed residential care homes and intermediate care facilities for individuals with intellectual disabilities may receive an increase not to exceed the most recent annual increase in the Regional Data Resources Incorporated McGraw-Hill Health Care Costs: Consumer Price Index (all urban)-All Items. Rates for newly certified intermediate care facilities for individuals with intellectual disabilities shall not exceed one hundred fifty per cent of the median rate of rates in effect on January 31, 1991, for intermediate care facilities for individuals with intellectual disabilities certified prior to February 1, 1991. Notwithstanding any provision of this section, the Commissioner of Social Services may, within available appropriations, provide an interim rate increase for a licensed chronic and convalescent nursing home or a rest home with nursing supervision for rate periods no earlier than April 1, 2004, only if the commissioner determines that the increase is necessary to avoid the filing of a petition for relief under Title 11 of the United States Code; imposition of receivership pursuant to sections 19a-542 and 19a-543; or substantial deterioration of the facility's financial condition that may be expected to adversely affect resident care and the continued operation of the facility, and the commissioner determines that the continued operation of the facility is in the best interest of the state. The commissioner shall consider any requests for interim rate increases on file with the department from March 30, 2004, and those submitted subsequently for rate periods no earlier than April 1, 2004. When reviewing an interim rate increase request the commissioner shall, at a minimum, consider: (A) Existing chronic and convalescent nursing home or rest home with nursing supervision utilization in the area and projected bed need; (B) physical plant long-term viability and the ability of the owner or purchaser to implement any necessary property improvements; (C) licensure and certification compliance history; (D) reasonableness of actual and projected expenses; and (E) the ability of the facility to meet wage and benefit costs. No interim rate shall be increased pursuant to this subsection in excess of one hundred fifteen per cent of the median rate for the facility's peer grouping, established pursuant to subdivision (2) of subsection (f) of this section, unless recommended by the commissioner and approved by the Secretary of the Office of Policy and Management after consultation with the commissioner. Such median rates shall be published by the Department of Social Services not later than April first of each year. In the event that a facility granted an interim rate increase pursuant to this section is sold or otherwise conveyed for value to an unrelated entity less than five years after the effective date of such rate increase, the rate increase shall be deemed rescinded and the department shall recover an amount equal to the difference between payments made for all affected rate periods and payments that would have been made if the interim rate increase was not granted. The commissioner may seek recovery of such payments from any facility with common ownership. With the approval of the Secretary of the Office of Policy and Management, the commissioner may waive recovery and rescission of the interim rate for good cause shown that is not inconsistent with this section, including, but not limited to, transfers to family members that were made for no value. The commissioner shall provide written quarterly reports to the joint standing committees of the General Assembly having cognizance of matters relating to aging, human services and appropriations and the budgets of state agencies, that identify

each facility requesting an interim rate increase, the amount of the requested rate increase for each facility, the action taken by the commissioner and the secretary pursuant to this subsection, and estimates of the additional cost to the state for each approved interim rate increase. Nothing in this subsection shall prohibit the commissioner from increasing the rate of a licensed chronic and convalescent nursing home or a rest home with nursing supervision for allowable costs associated with facility capital improvements or increasing the rate in case of a sale of a licensed chronic and convalescent nursing home or a rest home with nursing supervision, pursuant to subdivision (15) of subsection (f) of this section, if receivership has been imposed on such home.

Sec. 393. Section 17b-239 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) (1) Until the time subdivision (2) of this subsection is effective, the rate to be paid by the state to hospitals receiving appropriations granted by the General Assembly and to freestanding chronic disease hospitals providing services to persons aided or cared for by the state for routine services furnished to state patients, shall be based upon reasonable cost to such hospital, or the charge to the general public for ward services or the lowest charge for semiprivate services if the hospital has no ward facilities, imposed by such hospital, whichever is lowest, except to the extent, if any, that the commissioner determines that a greater amount is appropriate in the case of hospitals serving a disproportionate share of indigent patients. Such rate shall be promulgated annually by the Commissioner of Social Services [A>within available appropriations<A] .

(2) On or after July 1, 2013, Medicaid rates paid to acute care [D>and<D] [A> hospitals,

including<A] children's hospitals [A>,<A] shall be based on diagnosis-related groups established and periodically rebased by the Commissioner of Social Services, provided the Department of Social Services completes a fiscal analysis of the impact of such rate payment system on each hospital. The commissioner shall, in accordance with the provisions of section 11-4a, file a report on the results of the fiscal analysis not later than six months after implementing the rate payment system with the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the

budgets of state agencies.

[D>The<D]

[A>Within available appropriations, the<A] commissioner shall annually determine in-patient

[D>rates<D]

[A>payments<A] for each hospital by multiplying

[D>diagnostic-related<D]

[A>diagnosis-related<A] group relative

weights by a base rate. [A>Over a period of up to four years beginning on or after January 1, 2016, within available appropriations and at the discretion of the commissioner, the Department of Social Services shall transition hospital-specific, diagnosis-related group base rates to state-wide diagnosis-related group base rates by peer groups determined by the commissioner. For the purposes of this subsection, "peer group" means a group comprised of one of the following categories of acute care hospitals: Privately operated acute care hospitals, publicly operated acute care hospitals, or acute care children's hospitals licensed by the Department of Public Health. At the discretion of the Commissioner of Social Services, the peer group for privately operated acute care hospitals may be further subdivided into peer groups for privately operated acute care hospitals.<A] Within available appropriations, the commissioner may, in his or her discretion, make additional payments to hospitals based on criteria to be determined by the commissioner. Upon the conversion to a hospital payment methodology based on diagnosis-related groups, the commissioner shall evaluate payments for all hospital services, including, but not limited to, a review of pediatric psychiatric inpatient units within hospitals. The commissioner may, within available appropriations, implement a pay-for-performance program for pediatric psychiatric inpatient care. Nothing contained in this section shall authorize Medicaid payment by the state to any such hospital in excess of the charges made by such hospital for comparable services to the general public.

(b) Effective October 1, 1991, the rate to be paid by the state for the cost of special services rendered by such hospitals shall be established annually by the commissioner for each such hospital based on the reasonable cost to each hospital of such services furnished to state patients [A>within available appropriations<A] . Nothing contained in this subsection shall authorize a payment by the state for such services to any such hospital in excess of the charges made by such hospital for comparable services to the general public.

(c) The term "reasonable cost" as used in this section means the cost of care furnished such patients by an efficient and economically operated facility, computed in accordance with accepted principles of hospital cost reimbursement. The commissioner may adjust the rate of payment established under the provisions of this section for the year during which services are furnished to reflect fluctuations in hospital costs [A>within available appropriations<A] . Such adjustment may be made prospectively to cover anticipated fluctuations or may be made retroactive to any date subsequent to the date of the initial rate determination for such year or in such other manner as may be determined by the commissioner. In determining "reasonable cost" the commissioner may give due consideration to allowances for fully or partially unpaid bills, reasonable costs mandated by collective bargaining agreements with certified collective bargaining agents or other agreements between the employer and employees, provided "employees" shall not include persons employed as managers or chief administrators, requirements for working capital and cost of development of new services, including additions to and replacement of facilities and equipment. The commissioner shall not give consideration to amounts paid by the facilities to employees as salary, or to attorneys or consultants as fees, where

the responsibility of the employees, attorneys or consultants is to persuade or seek to persuade the other employees of the facility to support or oppose unionization. Nothing in this subsection shall prohibit the commissioner from considering amounts paid for legal counsel related to the negotiation of collective bargaining agreements, the settlement of grievances or normal administration of labor relations.

(d) (1) Until such time as subdivision (2) of this subsection is effective, the state shall also pay to such hospitals for each outpatient clinic and emergency room visit a reasonable rate to be established annually by the commissioner for each hospital, such rate to be determined by the reasonable cost of such services[A>and within available appropriations<A] .

(2) On or after July 1, 2013, [A>with the exception of publicly operated psychiatric hospitals,<A] hospitals shall be paid for outpatient and emergency room episodes of care based on prospective rates established by the commissioner [A>within available appropriations and<A] in accordance with the Medicare Ambulatory Payment Classification system in conjunction with a state conversion factor, provided the Department of Social Services completes a fiscal analysis of the impact of such rate payment system on each hospital. The Commissioner of Social Services shall, in accordance with the provisions of section 11-4a, file a report on the results of the fiscal analysis not later than six months after implementing the rate payment system with the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies. The Medicare Ambulatory Payment Classification system

shall be

[D>modified<D]

[A>augmented<A] to provide payment for services not generally covered

[D>by<D]

[A>under the<A] Medicare

[A>Ambulatory Payment Classification system<A] ,

including, but not limited to, [D>pediatric, obstetric, neonatal and perinatal

services<D]

[A>mammograms, durable medical equipment, physical, occupational and

speech therapy<A] . Nothing contained in this subsection shall authorize a payment by the state for such episodes of care to any hospital in excess of the charges made by such hospital for comparable services to the general public. [D>Those outpatient hospital services that do not have an established Medicare Ambulatory Payment Classification code shall be paid on the basis of a ratio of cost to charges, or

the fixed fee in effect as of January 1, 2013.<D]

[A>Effective upon implementation of

the Ambulatory Payment Classification system, a covered outpatient hospital service that does not have an established Medicare Ambulatory Payment Classification code shall be paid in accordance with a fee schedule or an alternative payment methodology, as determined by the commissioner. Prior to the implementation of the Ambulatory Payment Classification system, each hospital's charges shall be based on the charge master in effect as of June 1, 2015. After implementation of such system, annual increases in each hospital's charge master shall not exceed, in the aggregate, the annual increase in the Medicare economic index.<A] The Commissioner of Social Services shall establish a fee schedule for outpatient hospital services to be effective on and after January 1, 1995, and may annually modify such fee schedule if such modification is needed to ensure that the conversion to an administrative services organization is cost neutral to hospitals in the aggregate and ensures patient access. Utilization may be a factor in determining cost neutrality.

(e) On and after January 1, 2015, and concurrent with the implementation of the diagnosis-related group methodology of payment to hospitals, an emergency department physician may enroll separately as a Medicaid provider and qualify for direct reimbursement for professional services provided in the emergency department of a hospital to a Medicaid recipient, including services provided on the same day the Medicaid recipient is admitted to the hospital. The commissioner shall pay to any such emergency department physician the Medicaid rate for physicians in accordance with the physician fee schedule in effect at that time. If the commissioner determines that payment to an emergency department physician pursuant to this subsection results in an additional cost to the state, the commissioner shall adjust such rate in consultation with the Connecticut Hospital Association and the Connecticut College of Emergency Physicians to ensure budget neutrality.

(f) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, establishing criteria for defining emergency and nonemergency visits to hospital emergency rooms. All nonemergency visits to hospital emergency rooms shall be paid at the hospital's outpatient clinic services rate. Nothing contained in this subsection or the regulations adopted under this section shall authorize a payment by the state for such services to any hospital in excess of the charges made by such hospital for comparable services to the general public. To the extent permitted by federal law, the Commissioner of Social Services shall impose cost-sharing requirements under the medical assistance program for nonemergency use of hospital emergency room services.

(g) The commissioner shall establish rates to be paid to freestanding chronic disease hospitals [A>within available appropriations<A] .

(h) The Commissioner of Social Services may implement policies and procedures as necessary to carry out the provisions of this section while in the process of adopting the policies and procedures as regulations, provided notice of intent to adopt the regulations is published in accordance with the provisions of section 17b-10 not later than twenty days after the date of implementation.

(i) In the event the commissioner is unable to implement the provisions of subsection (e) of this section

by January 1, 2015, the commissioner shall submit written notice, not later than thirty-five days prior to January 1, 2015, to the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies indicating that the department will not be able to implement such provisions on or before such date. The commissioner shall include in such notice (1) the reasons why the department will not be able to implement such provisions by such date, and (2) the date by which the department will be able to implement such provisions.

[A>(j) The Department of Social Services is not required to increase rates paid, or to set any rates to be paid to, any hospital based on inflation, including, but not limited to, any current payments or adjustments that are being made based on dates of service in previous years.<A]

Sec. 394. (NEW) (Effective from passage) (a) The Commissioner of Social Services may implement an acuity-based methodology for Medicaid reimbursement of nursing home services. In the course of developing such a system, the commissioner shall review the skilled nursing facility prospective payment system developed by the Centers for Medicare and Medicaid Services, as well as other methodologies used nationally, and shall consider recommendations from the nursing home industry.

(b) The Commissioner of Social Services may implement policies as necessary to carry out the provisions of this section while in the process of adopting the policies as regulations, provided that prior to implementation the policies are posted on the eRegulations System established pursuant to section 4-173b of the general statutes and the Department of Social Services' Internet web site.

Sec. 395. Section 17a-22f of the general statutes, as amended by section 4 of public act 14-62 and section 11 of public act 15-69, is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) The Commissioner of Social Services may, with regard to the provision of behavioral health services provided pursuant to a state plan under Title XIX or Title XXI of the Social Security Act: (1) Contract with one or more administrative

services organizations to provide clinical management, intensive

[D>case<D]

[A>care<A]

management, provider network development and other administrative services; (2) delegate responsibility to the Department of Children and Families for the clinical management portion of such administrative contract or contracts that pertain to HUSKY A and B, and other children, adolescents and families served by the Department of Children and Families; and (3) delegate responsibility to the Department of Mental Health and Addiction Services for the clinical management portion of such administrative contract or contracts that pertain to Medicaid recipients who are not enrolled in HUSKY A.

(b) For purposes of this section, the term "clinical management" describes the process of evaluating and

determining the appropriateness of the utilization of behavioral health services and providing assistance to clinicians or beneficiaries to ensure appropriate use of resources and may include, but is not limited to, authorization, concurrent and retrospective review, discharge review, quality management, provider certification and provider performance enhancement. The Commissioners of Social Services, Children and Families, and Mental Health and Addiction Services shall jointly develop clinical management policies and procedures.

[D]>(c) The Commissioners of Social Services, Children and Families, and Mental Health and Addiction Services shall require that administrative services organizations managing behavioral health services for Medicaid clients develop intensive case management that includes, but is not limited to: (1) The identification by the administrative services organization of hospital emergency departments which may benefit from intensive case management based on the number of Medicaid clients who are frequent users of such emergency departments; (2) the creation of regional intensive case management teams to work with emergency department doctors to (A) identify Medicaid clients who would benefit from intensive case management, (B) create care plans for such Medicaid clients, and (C) monitor progress of such Medicaid clients; and (3) the assignment of at least one staff member from a regional intensive case management team to participating hospital emergency departments during hours when Medicaid clients who are frequent users visit the most and when emergency department use is at its highest.<D]

[D]>(d) The Commissioners of Social Services, Children and Families, and Mental Health and Addiction Services shall ensure that any contracts entered into with an administrative services organization require such organization to (1) conduct assessments of behavioral health providers and specialists to determine patient ease of access to services, including, but not limited to, the wait times for appointments and whether the provider is accepting new Medicaid clients; and (2) perform outreach to Medicaid clients to (A) inform them of the advantages of receiving care from a behavioral health provider, (B) help to connect such clients with behavioral health providers soon after they are enrolled in Medicaid, and (C) for frequent users of emergency departments, help to arrange visits by Medicaid clients with behavioral health providers after such clients are treated at an emergency department.<D]

[D]>(e) The Commissioners of Social Services, Children and Families, and Mental Health and Addiction Services, in consultation with the Secretary of the Office of Policy and Management, shall ensure that all expenditures for intensive case management eligible for Medicaid reimbursement are submitted to the Centers for Medicare and Medicaid Services.<D]

[D]>(f) The Department of Social Services may implement policies and procedures necessary to carry out the purposes of this section, including any necessary changes to procedures relating to the provision of behavioral health services and utilization management, while in the process of adopting such policies and procedures in regulation form, provided the Commissioner of Social Services publishes notice of intention to adopt the regulations in accordance with the provisions of section 17b-10 not later than twenty days after implementing such policies and procedures. Policies and procedures implemented pursuant to this subsection shall be valid until the time such regulations are adopted.<D]

Sec. 396. Section 17a-476 of the general statutes, as amended by section 3 of public act 14-62, is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) Any general hospital, municipality or nonprofit organization in Connecticut may apply to the Department of Mental Health and Addiction Services for funds to establish, expand or maintain psychiatric or mental health services. The application for funds shall be submitted on forms provided by the Department of Mental Health and Addiction Services, and shall be accompanied by (1) a definition of the towns and areas to be served; (2) a plan by means of which the applicant proposes to coordinate its activities with those of other local agencies presently supplying mental health services or contributing in any way to the mental health of the area; (3) a description of the services to be provided, and the methods through which these services will be provided; and (4) indication of the methods that will be employed to effect a balance in the use of state and local resources so as to foster local initiative, responsibility and participation. In accordance with subdivision (4) of section 17a-480 and subdivisions (1) and (2) of subsection (a) of section 17a-484, the regional mental health board shall review each such application with the Department of Mental Health and Addiction Services and make recommendations to the department with respect to each such application.

(b) Upon receipt of the application with the recommendations of the regional mental health board and approval by the Department of Mental Health and Addiction Services, the department shall grant such funds by way of a contract or grant-in-aid within the appropriation for any annual fiscal year. No funds authorized by this section shall be used for the construction or renovation of buildings.

[D]>(c) The Commissioner of Mental Health and Addiction Services shall require an administrative services organization with which it contracts to manage mental and behavioral health services to provide intensive case management. Such intensive case management shall include, but not be limited to: (1) The identification by the administrative services organization of hospital emergency departments which may benefit from intensive case management based on the number of Medicaid clients who are frequent users of such emergency departments; (2) the creation of regional intensive case management teams to work with emergency department doctors to (A) identify Medicaid clients who would benefit from intensive case management, (B) create care plans for such Medicaid clients, and (C) monitor progress of such Medicaid clients; and (3) the assignment of at least one staff member from a regional intensive case management team to participating hospital emergency departments during hours when Medicaid clients who are frequent users visit the most and when emergency department use is at its highest.<D]

[D]>(d)<D]

[A]>(c)<A] The Commissioner of Mental Health and Addiction Services may adopt

regulations, in accordance with the provisions of chapter 54, concerning minimum standards for eligibility to receive said state contracted funds and any grants-in-aid. Any such funds or grants-in-aid made by

the Department of Mental Health and Addiction Services for psychiatric or mental health services shall be made directly to the agency submitting the application and providing such service or services.

Sec. 397. Section 17b-261m of the general statutes, as amended by section 1 of public act 14-62 and section 23 of public act 15-69, is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

(a) The Commissioner of Social Services may contract with one or more administrative services organizations to provide care coordination, utilization management, disease management, customer service and review of grievances for recipients of assistance under the HUSKY Health program. Such organization may also provide network management, credentialing of providers, monitoring of copayments and premiums and other services as required by the commissioner. Subject to approval by applicable federal authority, the Department of Social Services shall utilize the contracted organization's provider network and billing systems in the administration of the program. In order to implement the provisions of this section, the commissioner may establish rates of payment to providers of medical services under this section if the establishment of such rates is required to ensure that any contract entered into with an administrative services organization pursuant to this section is cost neutral to such providers in the aggregate and ensures patient access. Utilization may be a factor in determining cost neutrality.

(b) Any contract entered into with an administrative services organization, pursuant to subsection (a) of this section, shall include a provision to reduce inappropriate use of hospital emergency department services, which may include a cost-sharing requirement [A>and intensive care management services<A] . [D>Such provision shall require intensive case management services, including, but not limited to: (1) The identification by the administrative services organization of hospital emergency departments which may benefit from intensive case management based on the number of Medicaid clients who are frequent users of such emergency departments; (2) the creation of regional intensive case management teams to work with emergency department doctors to (A) identify Medicaid clients who would benefit from intensive case management, (B) create care plans for such Medicaid clients, and (C) monitor progress of such Medicaid clients; and (3) the assignment of at least one staff member from a regional intensive case management team to participating hospital emergency departments during hours when Medicaid clients who are frequent users visit the most and emergency department use is at its highest. For purposes of this section and sections 17a-22f and 17a-476, "frequent users" means a Medicaid client with ten or more annual visits to a hospital emergency department.<D]

[D>(c) The commissioner shall ensure that any contracts entered into with an administrative services organization include a provision requiring such administrative services organization to (1) conduct assessments of primary care doctors and specialists to determine patient ease of access to services, including, but not limited to, the wait times for appointments and whether the provider is accepting new Medicaid clients, and (2) perform outreach to Medicaid clients to (A) inform them of the advantages of receiving care from a primary care provider, (B) help to connect such clients with primary care providers soon after they are enrolled in Medicaid, and (C) for frequent users of emergency departments, help to

arrange visits by Medicaid clients with primary care providers after such clients are treated at an emergency department.<D]

[D>(d) The Commissioner of Social Services shall require an administrative services organization with access to complete client claim adjudicated history to analyze and annually report, not later than February first, to the Department of Social Services and the Council on Medical Assistance Program Oversight, on Medicaid clients' use of hospital emergency departments. The report shall include, but not be limited to: (1) A breakdown of the number of unduplicated clients who visited an emergency department, and (2) for frequent users of emergency departments, (A) the number of visits categorized into specific ranges as determined by the Department of Social Services, (B) the time and day of the visit, (C) the reason for the visit, (D) whether hospital records indicate such user has a primary care provider, (E) whether such user had an appointment with a community provider after the date of the hospital emergency department visit, and (F) the cost of the visit to the hospital and to the state Medicaid program. The Department of Social Services shall monitor its reporting requirements for administrative services organizations to ensure all contractually obligated reports, including any emergency department provider analysis reports, are completed and disseminated as required by contract.<D]

[D>(e) The Commissioner of Social Services shall use the report required pursuant to subsection (d) of this section to monitor the performance of an administrative services organization. Performance measures monitored by the commissioner shall include, but not be limited to, whether the administrative services organization helps to arrange visits by frequent users of emergency departments to primary care providers after treatment at an emergency department.<D]

Sec. 398. Section 17b-241a of the general statutes, as amended by section 5 of public act 14-62, is repealed and the following is substituted in lieu thereof (Effective July 1, 2016):

Notwithstanding any provision of the general statutes, the Commissioner of Social Services may reimburse the Department of Mental Health and Addiction Services for targeted case management services that it provides to its target population, which, for purposes of this section, shall include individuals with severe and persistent psychiatric illness and individuals with persistent substance dependence. The Commissioners of Social Services and Mental Health and Addiction Services, in consultation with the Secretary of the Office of Policy and

Management, shall ensure that all expenditures for intensive

[D>case<D]

[A>care<A]

management eligible for Medicaid reimbursement are submitted to the Centers for Medicare and Medicaid Services.

Sec. 399. Section 17b-280 of the general statutes is amended by adding subsection (c) as follows (Effective August 1, 2015):

(NEW) (c) The Department of Social Services shall pay for an original prescription that is otherwise eligible for payment and as many refills as ordered by a licensed authorized practitioner within twelve months, provided controlled substances as described in subsection (h) of section 21a-249 shall not be included in the provisions of this subsection. The department shall pay a professional license fee pursuant to subsection (a) of this section for each approved refill.

Sec. 400. Subsection (d) of section 17b-99 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(d) [A>(1)<A] The Commissioner of Social Services, or any entity with which the commissioner contracts [D>,<D] for the purpose of conducting an audit of a service provider that participates as a provider of services in a program operated or administered by the department pursuant to this chapter or chapter 319t, 319v, 319y or 319ff, except a service provider for which rates are established pursuant to section 17b-340, shall conduct any such audit in accordance with the provisions of this subsection. For purposes of this subsection [A>, (A) "clerical error" means an unintentional typographical, scrivener's or computer error, (B)<A] "extrapolation" means the determination of an unknown value by projecting the results of the review of a sample to the universe from which the sample was drawn

[A>,<A]

[D>;<D]

[A>(C) "ninety-five per cent confidence level" means there is a probability of

at least ninety-five per cent that the result is reliable, (D)<A] "provider" means a person, public agency, private agency or proprietary agency that is licensed, certified or otherwise approved by the commissioner to supply services authorized

by the programs set forth in said chapters

[A>,<A]

[D>;<D]

[A>(E) "stratified sampling" means

a method of sampling that involves the division of a population into smaller groups known as strata based on shared attributes, characteristics or similar paid claim amounts, (F) "statistically valid sampling and extrapolation methodology" means a methodology that is (i) validated by a statistician who has completed graduate work in statistics and has significant experience developing statistically valid samples and extrapolating the results of such samples on behalf of government entities, (ii) provides for the exclusion of highly unusual claims that are not representative of the universe of paid claims, (iii) has a ninety-five per cent confidence level or greater, and (iv) includes stratified sampling when applicable,<A] and [A>(G)<A] "universe" means a defined population of claims submitted by a provider

during a specific time period.

[D>(1)<D]

[A>(2)<A] Not less than thirty days prior to the commencement of any such audit,

the commissioner, or any entity with which the commissioner contracts to conduct an audit of a participating provider, shall provide written notification of the audit to such provider [A>and the statistically valid sampling and extrapolation methodology to be used in conducting such audit<A] , unless the commissioner, or any entity with which the commissioner contracts to conduct an audit of a participating provider makes a good faith determination that (A) the health or safety of a recipient of services is at risk; or (B) the provider is engaging in vendor fraud. [D>A copy of the regulations established pursuant to subdivision (11)

of this subsection shall be appended to such notification.<D]

[A>At the commencement

of the audit, the commissioner, or any entity with which the commissioner contracts to conduct an audit of a participating provider, shall disclose (i) the name and contact information of the assigned auditor or auditors, (ii) the audit location, including notice of whether such audit shall be conducted on-site or through record submission, and (iii) the manner by which information requested shall be submitted. No audit shall include claims paid more than thirty-six months from the date claims are selected for the audit. A scanned copy of documentation supporting a claim shall be acceptable when the original documentation is unavailable.<A]

[D>(2)<D]

[A>(3)<A] Any clerical error

[D>, including, but not limited to, recordkeeping,

typographical, scrivener's or computer error,<D] discovered in a record or document produced for any such audit shall not of itself constitute a wilful violation of program rules unless proof of intent to commit fraud or otherwise violate program rules is established. In determining which providers shall be subject to audits, the Commissioner of Social Services may give consideration to the history of a provider's compliance in addition to other criteria used to select a provider for an audit.

[D>(3)<D]

[A>(4)<A] A finding of overpayment or underpayment to a provider in a program

operated or administered by the department pursuant to this chapter or chapter 319t, 319v, 319y or 319ff, except a provider for which rates are established pursuant to section 17b-340, shall not be based on extrapolation unless [D>(A) there is a determination of sustained or high level of payment error involving the provider, (B) documented educational intervention has failed to correct the level of payment error, or (C) the value of the claims in aggregate exceeds two hundred

thousand dollars on an annual basis<D]

[A>the total net amount of extrapolated

overpayment calculated from a statistically valid sampling and extrapolation methodology exceeds one and three-quarters per cent of total claims paid to the provider for the audit period<A] .

[D>(4)<D]

[A>(5)<A] A provider, in complying with the requirements of any such audit, shall

be allowed not less than thirty days to provide documentation in connection with any discrepancy discovered and brought to the attention of such provider in the course of any such audit. [A>Such documentation may include evidence that errors concerning payment and billing resulted from a provider's transition to a new payment or billing service or accounting system. The commissioner shall not calculate an overpayment based on extrapolation or attempt to recover such extrapolated overpayment when the provider presents credible evidence that an error by the commissioner, or any entity with which the commissioner contracts to conduct an audit pursuant to this subsection, caused the overpayment, provided the commissioner may recover the amount of the original overpayment.<A]

[D>(5)<D]

[A>(6)<A] The commissioner, or any entity with which the commissioner contracts,

for the purpose of conducting an audit of a provider of any of the programs operated or administered by the department pursuant to this chapter or chapter 319t, 319v, 319y or 319ff, except a service provider

for which rates are established pursuant to section 17b-340, shall produce a preliminary written report concerning any audit conducted pursuant to this subsection, and such preliminary report shall be provided to the provider that was the subject of the audit not later than sixty days after the conclusion of such audit.

[D>(6)<D]

[A>(7)<A] The commissioner, or any entity with which the commissioner contracts,

for the purpose of conducting an audit of a provider of any of the programs operated or administered by the department pursuant to this chapter or chapter 319t, 319v, 319y or 319ff, except a service provider for which rates are established pursuant to section 17b-340, shall, following the issuance of the

preliminary report pursuant to subdivision

[D>(5)<D]

[A>(6)<A] of this subsection, hold an

exit conference with any provider that was the subject of any audit pursuant to this subsection for the purpose of discussing the preliminary report. Such provider may present evidence at such exit conference refuting findings in the preliminary report.

[D>(7)<D]

[A>(8)<A] The commissioner, or any entity with which the commissioner contracts,

for the purpose of conducting an audit of a service provider, shall produce a final written report concerning any audit conducted pursuant to this subsection. Such final written report shall be provided to the provider that was the subject of the audit not later than sixty days after the date of the exit conference

conducted pursuant to subdivision

[D>(6)<D]

[A>(7)<A] of this subsection, unless the

commissioner, or any entity with which the commissioner contracts [D>,<D] for the purpose of conducting an audit of a service provider, agrees to a later date or there are other referrals or investigations pending concerning the provider.

[D](8)<D]

[A](9)<A] Any provider aggrieved by a decision contained in a final written report issued pursuant to subdivision

[D](7)<D]

[A](8)<A] of this subsection may, not later

than thirty days after the receipt of the final report, request, in writing, a

[D]review on all items of grievance<D]

[A]contested case hearing in accordance with

chapter 54<A]. Such request shall contain a detailed written description of each specific item of grievance. The designee of the commissioner who presides over

the

[D]review<D]

[A]hearing<A] shall be impartial and shall not be an employee of the

Department of Social Services Office of Quality Assurance or an employee of an entity with which the commissioner contracts for the purpose of conducting an audit of a service provider. [A]A provider shall be permitted to raise during such hearing that a negative audit finding was due to a provider's compliance with a state or federal law or regulation.<A] Following review on all items of grievance, the designee of the commissioner who presides over the [D]review<D] [A]hearing<A] shall issue a final decision [A]not later than ninety days following the close of evidence or the date on which final briefs are filed, whichever occurs later. When a provider requests a hearing pursuant to this subdivision, and the provider is contesting an overpayment amount based on extrapolation, the Department of Social Services shall not recoup the overpayment amount at issue until a final decision is issued after the hearing<A].

[D](9) A provider may appeal a final decision issued pursuant to subdivision (8) of this subsection to the Superior Court in accordance with the provisions of chapter 54.<D]

(10) The provisions of this subsection shall not apply to any audit conducted by the Medicaid Fraud Control Unit established within the Office of the Chief State's Attorney.

[D](11) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the provisions of this subsection and to ensure the fairness of the audit process, including, but not limited to, the sampling methodologies associated with the process.<D]

[A>(11)<A] The commissioner shall provide free training to providers on how to enter claims to avoid [D>clerical<D] errors and shall post information on the department's Internet web site concerning the auditing process and methods to avoid clerical errors. Not later than February 1, 2015, the commissioner shall establish and publish on the department's Internet web site audit protocols to assist the Medicaid provider community in developing programs to improve compliance with Medicaid requirements under state and federal laws and regulations, provided audit protocols may not be relied upon to create a substantive or procedural right or benefit enforceable at law or in equity by any person, including a corporation. The commissioner shall establish audit protocols for specific providers or categories of service, including, but not limited to: (A) Licensed home health agencies, (B) drug and alcohol treatment centers, (C) durable medical equipment, (D) hospital outpatient services, (E) physician and nursing services, (F) dental services, (G) behavioral health services, (H) pharmaceutical services, [D>and<D] (I) emergency and nonemergency medical transportation services [A>, and (J) not later than January 1, 2016, homemaker companion services<A] . The commissioner shall ensure that the Department of Social Services, or any entity with which the commissioner contracts to conduct an audit pursuant to this subsection, has on staff or consults with, as needed, a medical or dental professional who is experienced in the treatment, billing and coding procedures used by the provider being audited.

Sec. 401. (NEW) (Effective July 1, 2015) (a) There is established a two-generational school readiness and workforce development pilot program. The pilot program shall operate through June 30, 2017, and shall foster family economic self-sufficiency in low-income households by delivering academic and job readiness support services across two generations in the same household. The pilot program shall be located in New Haven, Greater Hartford, Norwalk, Meriden, Colchester and Bridgeport. The pilot sites shall work together as a learning community, informed by technical assistance in best practices.

(b) The two-generational school readiness and workforce development pilot program shall serve as a blueprint for a state-wide, two-generational school readiness and workforce development model and may include opportunities for state-wide learning, in addition to the pilot sites, in two generational system building and policy development. The pilot program shall be funded by state and available private moneys and shall include:

(1) Early learning programs, adult education, child care, housing, job training, transportation, financial literacy and other related support services offered at one location, wherever possible;

(2) Development of a long-term plan to adopt a two-generational model for the delivery of the services described in subdivision (1) of this subsection on a state-wide basis. Such plan shall include, but not be limited to, (A) the targeted use of Temporary Assistance for Needy Families (TANF) funds, to the extent permissible under federal law, to support two-generational programming, and (B) state grant incentives for private entities that develop such two-generational programming;

(3) Partnerships between state and national philanthropic organizations, as available, to provide the pilot sites and interagency working group established pursuant to subsection (c) of this section with technical assistance in the phase-in and design of model two-generational programs and practices, an evaluation

plan, state-wide replication and implementation of the program; and

(4) A workforce liaison to gauge the needs of employers and households in each community and help coordinate the two-generational program to meet the needs of such employers and households.

(c) The program shall be overseen by an interagency working group that shall include, but not be limited to, the Commissioners of Social Services, Early Childhood, Education, Housing, Transportation, Public Health and Correction, or each commissioner's designee; the Labor Commissioner, or the Labor Commissioner's designee; the Chief Court Administrator, or the Chief Court Administrator's designee; one member of the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, appointed by the speaker of the House of Representatives; one member of the joint standing committee of the General Assembly having cognizance of matters relating to human services, appointed by the president pro tempore of the Senate; representatives of nonprofit and philanthropic organizations and scholars who are experts in two-generational programs and policies; and other business and academic professionals as needed to achieve goals for two-generational systems planning, evaluations and outcomes. The staff of the Commission on Children shall serve as the organizing and administrative staff of the working group.

(d) Coordinators of two-generational programs in each community in the pilot program and any organization serving as a fiduciary for the program shall report on a quarterly basis to the interagency working group.

(e) Not later than January 1, 2017, the interagency working group shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies that details: (1) The number of families served in the program; (2) the number of adults who have obtained jobs since receiving services from the program; (3) the number of children who have improved academically, including, but not limited to, (A) achievement band increases, and (B) improvements in reading comprehension and math literacy; (4) the number of adults who have received job training, completed job training, enrolled in educational courses and obtained educational certificates or degrees; (5) the cost of the program in both state and private dollars; and (6) recommendations to expand the program to additional communities state wide.

Sec. 402. (Effective from passage) (a) The sum of \$ 517,500 appropriated to the Department of Social Services for the Medicaid shared savings program for community health centers in the fiscal year beginning July 1, 2015, shall not lapse on June 30, 2016. Such funds shall continue to be available for such purpose for the fiscal year ending June 30, 2017.

(b) The sum of \$ 422,327 appropriated in each year of the biennium ending June 30, 2017, to the community health services account of the General Fund, shall be used by the Commissioner of Public Health to provide grants to community health centers. In awarding such grants, the commissioner may consider the amount of funding received by such centers in grants disbursed by the Department of

Public Health in fiscal year 2015 and the amount of uncompensated care provided by the centers.

Sec. 403. Subsection (a) of section 17b-349 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The rates paid by the state to community health centers and freestanding medical clinics participating in the Medicaid program may be adjusted annually on the basis of the cost reports submitted to the Commissioner of Social Services, except that rates effective July 1, 1989, shall remain in effect through June 30, 1990. The Department of Social Services [D>shall distribute funding, within available appropriations, to federally qualified health centers based on cost reports

submitted to the Commissioner of Social Services, until<D]

[A>may develop<A] an alternative payment methodology

[D>is<D]

[A>to replace the encounter-based reimbursement

system. Such methodology shall be<A] approved by the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies. [A>Until such methodology is implemented, the Department of Social Services shall distribute supplemental funding, within available appropriations, to federally qualified health centers based on cost, volume and quality measures as determined by the Commissioner of Social Services.<A]

(1) Beginning with the one-year rate period commencing on October 1, 2012, and annually thereafter, the Commissioner of Social Services may add to a community health center's rates, if applicable, a capital cost rate adjustment that is equivalent to the center's actual or projected year-to-year increase in total allowable depreciation and interest expenses associated with major capital projects divided by the projected service visit volume. For the purposes of this subsection, "capital costs" means expenditures for land or building purchases, fixed assets, movable equipment, capitalized financing fees and capitalized construction period interest and "major capital projects" means projects with costs exceeding two million dollars. The commissioner may revise such capital cost rate adjustment retroactively based on actual allowable depreciation and interest expenses or actual service visit volume for the rate period. (2) The commissioner shall establish separate capital cost rate adjustments for each Medicaid service provided by a center. (3) The commissioner shall not grant a capital cost rate adjustment to a community health center for any depreciation or interest expenses associated with capital costs that were disapproved by the federal Department of Health and Human Services or another federal or state government agency with capital expenditure approval authority related to health care services. (4) The commissioner may allow actual debt service in lieu of allowable depreciation and interest expenses associated with capital items funded with a debt obligation, provided debt service amounts are deemed reasonable in consideration of the interest rate and other loan terms. (5) The commissioner shall implement policies and procedures necessary to carry out the provisions of this subsection while in the process of adopting such policies and procedures in regulation form, provided notice of intent to adopt

such regulations is published in the Connecticut Law Journal not later than twenty days after implementation. Such policies and procedures shall be valid until the time final regulations are effective.

Sec. 404. Section 17b-369 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The Commissioner of Social Services, pursuant to Section 6071 of the Deficit Reduction Act of 2005, shall submit an application to the Secretary of Health and Human Services to establish a Money Follows the Person demonstration project. Such project shall serve not more than five thousand persons and shall be designed to achieve the objectives set forth in Section 6071(a) of the Deficit Reduction Act of 2005. Services available under the demonstration project shall include, but not be limited to, personal care assistance services. The commissioner may apply for a Medicaid research and demonstration waiver under Section 1115 of the Social Security Act, if such waiver is necessary to implement the demonstration project. The commissioner may, if necessary, modify any existing Medicaid home or community-based waiver if such modification is required to implement the demonstration project.

(b) (1) The Commissioner of Social Services shall submit, in accordance with this subdivision, a copy of any report on the Money Follows the Person demonstration project that the commissioner is required to submit to the Secretary of Health and Human Services and that pertains to (A) the status of the implementation of the Money Follows the Person demonstration project, (B) the anticipated date that the first eligible person or persons will be transitioned into the community, or (C) information concerning when and how the Department of Social Services will transition additional eligible persons into the community. The commissioner shall submit such copy to the joint standing committees of the General Assembly having cognizance of matters relating to aging and human services, in accordance with the provisions of section 11-4a. Copies of reports prepared prior to October 1, 2009, shall be submitted by said date and copies of reports prepared thereafter shall be submitted semiannually.

(2) After October 1, 2009, if the commissioner has not prepared any new reports for submission to the Secretary of Health and Human Services for any six-month submission period under subdivision (1) of this subsection, the commissioner shall prepare and submit a written report in accordance with this subdivision to the joint standing committees of the General Assembly having cognizance of matters relating to aging and human services, in accordance with the provisions of section 11-4a. Such report shall include (A) the status of the implementation of the Money Follows the Person demonstration project, (B) the anticipated date that the first eligible person or persons will be transitioned into the community, and (C) information concerning when and how the Department of Social Services will transition additional eligible persons into the community.

(c) The Commissioner of Social Services shall develop a strategic plan, consistent with the long-term care plan established pursuant to section 17b-337, to rebalance Medicaid long-term care supports and services, including, but not limited to, those supports and services provided in home, community-based settings and institutional settings. The commissioner shall include home, community-based and institutional providers in the development of the strategic plan. In developing the strategic plan the

commissioner shall consider topics that include, but are not limited to: (1) Regional trends concerning the state's aging population; (2) trends in the demand for home, community-based and institutional services; (3) gaps in the provision of home and community-based services which prevent community placements; (4) gaps in the provision of institutional care; (5) the quality of care provided by home, community-based and institutional providers; (6) the condition of institutional buildings; (7) the state's regional supply of institutional beds; (8) the current rate structure applicable to home, community-based and institutional services; (9) the methods of implementing adjustments to the bed capacity of individual nursing facilities; and (10) a review of the provisions of subsection (a) of section 17b-354 [A], as amended by this act<A] .

(d) The Commissioner of Social Services may contract with nursing facilities, as defined in section 17b-357, and home and community-based providers for the purpose of carrying out the strategic plan. In addition, the commissioner may revise a rate paid to a nursing facility pursuant to section 17b-340 [A], as amended by this act,<A] in order to effectuate the strategic plan. The commissioner may fund strategic plan initiatives with federal grant-in-aid resources available to the state pursuant to the Money Follows the Person demonstration project pursuant to Section 6071 of the Deficit Reduction Act, P. L. 109-171, and the State Balancing Incentive Payments Program under the Patient Protection and Affordable Care Act, P. L. 111-148.

[A>(e) If a nursing facility has reason to know that a resident is likely to become financially eligible for Medicaid benefits within one hundred eighty days, the nursing facility shall notify the resident or the resident's representative and the department. The department may (1) assess any such resident to determine if the resident prefers and is able to live appropriately at home or in some other community-based setting, and (2) develop a care plan and assist the resident in his or her transition to the community.<A]

[D>(e)<D]

[A>(f)<A] The Commissioner of Public Health, or the commissioner's designee, may

waive the requirements of sections 19-13-D8t, 19-13-D6 and 19-13-D105 of the regulations of Connecticut state agencies, if a provider requires such a waiver for purposes of effectuating the strategic plan developed pursuant to subsection (c) of this section and the commissioner, or the commissioner's designee, determines that such waiver will not endanger the health and safety of the provider's residents or clients. The commissioner, or the commissioner's designee, may impose conditions on the granting of any waiver which are necessary to ensure the health and safety of the provider's residents or clients. The commissioner, or the commissioner's designee, may revoke any waiver granted pursuant to this subsection upon a finding that the health or safety of a resident or client of a provider has been jeopardized.

Sec. 405. (NEW) (Effective July 1, 2015) (a) As used in this section, (1) "above-ground swimming pool" means any structure intended for swimming that is assembled above ground and is greater than twenty-four inches in depth, and (2) "swimming pool assembler" means a person, who for financial compensation, assembles an above-ground swimming pool.

(b) On and after the adoption of regulations required pursuant to subsection (c) of this section, no person shall assemble an above-ground swimming pool unless such person holds a swimming pool assembler's license issued by the Commissioner of Consumer Protection.

(c) Not later than April 1, 2016, the commissioner shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to implement the provisions of this section, including establishing the amount and type of experience and training, and continuing education and examination requirements for a person to obtain and renew a swimming pool assembler's license.

(d) The holder of a swimming pool assembler's license issued pursuant to this section shall comply with the provisions of chapter 400 of the general statutes regarding registration as a home improvement contractor.

(e) A person licensed as a swimming pool assembler pursuant to this section shall not perform electrical work, plumbing and piping work or heating, piping and cooling work, as defined in section 20-330 of the general statutes, unless such person is licensed to perform such work pursuant to chapter 393 of the general statutes.

(f) On and after the adoption of regulations required pursuant to subsection (c) of this section, any person applying to the Department of Consumer Protection for a swimming pool assembler's license shall be issued such license without examination upon demonstration by the applicant of experience and training equivalent to the experience and training required to qualify for examination for such license, if such applicant makes such application to the department not later than January 1, 2017.

(g) The initial fee for a swimming pool assembler's license shall be one hundred fifty dollars and the renewal fee for such license shall be one hundred dollars. Licenses shall be valid for a period of one year from the date of issuance.

(h) Any holder of a swimming pool builder's license issued pursuant to section 20-340d of the general statutes or holder of a limited swimming pool maintenance and repair contractor's license issued pursuant to section 20-417aa of the general statutes applying to the department for a swimming pool assembler's license shall be issued such license without examination and shall not be required to complete any continuing education requirements established by the commissioner for a swimming pool assembler's license.

(i) Any person who assembles an above-ground swimming pool on residential property owned by such person shall be exempt from the provisions of this section.

Sec. 406. Subdivision (59) of section 12-81 of the general statutes is repealed and the following is

substituted in lieu thereof (Effective from passage):

(59) (a) With respect to assessment years commencing on or after October 1, 2012, any manufacturing facility, as defined in section 32-9p, acquired, constructed, substantially renovated or expanded on or after July 1, 1978, in a distressed municipality, as defined in said section, in a targeted investment community, as defined in section 32-222, in an enterprise zone designated pursuant to section 32-70 or in an airport development zone established pursuant to section 32-75d and for which an eligibility certificate has been issued by the Department of Economic and Community Development, and any manufacturing plant designated by the Commissioner of Economic and Community Development under subsection (a) of section 32-75c as follows: To the extent of eighty per cent of its valuation for purposes of assessment in each of the five full assessment years following the assessment year in which the acquisition, construction, renovation or expansion of the manufacturing facility is completed, except that a manufacturing facility having a North American Industrial Classification Code of 325411 or 325412 and having at least one thousand full-time employees, as defined in subsection (f) of section 32-9j, shall be eligible to have the assessment period extended for five additional years upon approval of the commissioner, in accordance with all applicable regulations, provided such full-time employees have not been relocated from another facility in the state operated by the same eligible applicant;

(b) Any service facility, as defined in section 32-9p, acquired, constructed, substantially renovated or expanded on or after July 1, 1996, and for which an eligibility certificate has been issued by the Department of Economic and Community Development, as follows: (i) In the case of an investment of twenty million dollars or more but not more than thirty-nine million dollars in the service facility, to the extent of forty per cent of its valuation for purposes of assessment in each of the five full assessment years following the assessment year in which the acquisition, construction, renovation or expansion of the service facility is completed; (ii) in the case of an investment of more than thirty-nine million dollars but not more than fifty-nine million dollars in the service facility, to the extent of fifty per cent of its valuation for purposes of assessment in each of the five full assessment years following the assessment year in which the acquisition, construction, renovation or expansion of the service facility is completed; (iii) in the case of an investment of more than fifty-nine million dollars but not more than seventy-nine million dollars in the service facility, to the extent of sixty per cent of its valuation for purposes of assessment in each of the five full assessment years following the assessment year in which the acquisition, construction, renovation or expansion of the service facility is completed; (iv) in the case of an investment of more than seventy-nine million dollars but not more than ninety million dollars in the service facility, to the extent of seventy per cent of its valuation for purposes of assessment in each of the five full assessment years following the assessment year in which the acquisition, construction, renovation or expansion of the service facility is completed; or (v) in the case of an investment of more than ninety million dollars in the service facility, to the extent of eighty per cent of its valuation for purposes of assessment in each of the five full assessment years following the assessment year in which the acquisition, construction, renovation or expansion of the service facility is completed, except that any financial institution, as defined in subsection (b) of section 32-236, having at least four thousand qualified employees, as determined in accordance with an agreement pursuant to subsection (b) of

section 32-236, shall be eligible to have the assessment period extended for five additional years upon approval of the commissioner, in accordance with all applicable regulations, provided such full-time employees have not been relocated from another facility in the state operated by the same eligible applicant. In no event shall the definition of qualified employee be more favorable to the employer than the definition provided in subsection (b) of section 32-236;

(c) The completion date of a manufacturing facility, manufacturing plant or a service facility will be determined by the Department of Economic and Community Development taking into account the issuance of occupancy certificates and such other factors as it deems relevant. In the case of a manufacturing facility, manufacturing plant or a service facility which consists of a constructed, renovated or expanded portion of an existing plant, the assessed valuation of the facility or manufacturing plant is the difference between the assessed valuation of the plant prior to its being improved and the assessed valuation of the plant upon completion of the improvements. In the case of a manufacturing facility, manufacturing plant or a service facility which consists of an acquired portion of an existing plant, the assessed valuation of the facility or manufacturing plant is the assessed valuation of the portion acquired. This exemption shall be applicable during each such assessment year regardless of any change in the ownership or occupancy of the facility or manufacturing plant. If during any such assessment year, however, any facility for which an eligibility certificate has been issued ceases to qualify as a manufacturing facility, manufacturing plant or a service facility, the entitlement to the exemption allowed by this subdivision shall terminate for the assessment year following the date on which the qualification ceases, and there shall not be a pro rata application of the exemption. Any person who desires to claim the exemption provided in this subdivision shall file annually with the assessor or board of assessors in the distressed municipality, targeted investment community, enterprise zone designated pursuant to section 32-70 or in a town within an airport development zone established pursuant to section 32-75d in which the manufacturing facility or service facility is located, on or before the first day of November, [A>a<A] written application claiming such exemption on a form prescribed by the Secretary of the Office of Policy and Management. Failure to file such application in this manner and form within the time limit prescribed shall constitute a waiver of the right to such exemption for such assessment year, unless [A>(i)<A] an extension of time is allowed pursuant to section 12-81k, and upon payment of the required fee for late filing [A>, or (ii) the person claiming such exemption received a certificate of eligibility on or after October 1, 2009, and is located in a municipality in New Haven County with a population of not less than eighteen thousand five hundred and not more than nineteen thousand five hundred, as enumerated in the 2010 federal decennial census<A] ;

Sec. 407. Subsection (b) of section 32-7h of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(b) The Commissioner of Economic and Community Development may provide for the payment of any administrative expenses or other costs incurred by the department or its lender partners in carrying out the purposes of the Small Business Express

program not to exceed

[D>four<D]

[A>five<A] per cent of funding from this program from the

account established pursuant to subsection (a) of this section [A>, provided one per cent shall be dedicated to develop capacity for capital construction projects for minority business enterprises<A] .

Sec. 408. Subsection (i) of section 32-9t of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(i) (1) There shall be allowed as a credit against the tax imposed under chapters 207 to 212a, inclusive, or section 38a-743, or a combination of said taxes, an amount equal to the following percentage of approved investments made by or on behalf of a taxpayer with respect to the following income years of the taxpayer: (A) With respect to the income year in which the investment in the eligible project was made and the two next succeeding income years, zero per cent; (B) with respect to the third full income year succeeding the year in which the investment in the eligible project was made and the three next succeeding income years, ten per cent; (C) with respect to the seventh full income year succeeding the year in which the investment in the eligible project was made and the next two succeeding years, twenty per cent. The sum of all tax credits granted pursuant to the provisions of this section shall not exceed one hundred million dollars with respect to a single eligible urban reinvestment project or a single eligible industrial site investment project approved by the commissioner. The sum of all tax credits granted pursuant to the provisions of this section shall not exceed

[D>eight hundred<D]

[A>nine hundred fifty<A] million dollars.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, any applicant may, at the time of application, apply to the commissioner for a credit that exceeds the limitations established by this subsection. The commissioner shall evaluate the benefits of such application and make recommendations to the General Assembly relating to changes in the general statutes which would be necessary to effect such application if the commissioner determines that the proposal would be of economic benefit to the state.

Sec. 409. Subsection (z) of section 3-20 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(z) Notwithstanding any provision of the general statutes or any public act or special act, upon the request of any proposed recipient for a grant for a program or project [A>within the state<A] to be financed by bonds issued pursuant to this section, and subject to the approval of the State Bond Commission and the Treasurer, such grant may be made to a qualified community development entity, or to a partnership, limited partnership, limited liability company or other business entity investing exclusively in a qualified community development entity, provided substantially all of the proceeds of

such grant are made available to such proposed recipient to finance such project [A], or to any reinvestment in such project following a foreclosure brought against such proposed recipient or any affiliate of such proposed recipient on such project<A> . For purposes of this subsection, "qualified community development entity" means an entity certified as a qualified community development entity pursuant to Section 45D(c)(1) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time, that has received an allocation of new markets tax credits available for qualified low-income community investments in the state under Section 45D(f)(2) of said Internal Revenue Code.

Sec. 410. Section 13b-79v of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

The Commissioner of Economic and Community Development
[D]is authorized<D>
[A]and the

Secretary of the Office of Policy and Management may each<A> , in consultation with the Commissioner of Transportation, [D]to<D> use available funds, including bond funds made available pursuant to section 4-66c, to make grants or loans to (1) support transit-oriented development projects, as defined in section 13b-79o, and encourage the location of residential, commercial and employment centers near public transportation services; and (2) encourage the development and use of port and rail freight facilities and services, including trackage and related infrastructure. [A]Nothing in this section shall be construed to limit the authority of the state to enter into agreements to facilitate transit-oriented development projects, as defined in section 13b-79o or 13b-79kk, on state property.<A>

Sec. 411. Subsection (a) of section 16-245 I of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) The Public Utilities Regulatory Authority shall establish and each electric distribution company shall collect a systems benefits charge to be imposed against all end use customers of each electric distribution company beginning January 1, 2000. The authority shall hold a hearing that shall be conducted as a contested case in accordance with chapter 54 to establish the amount of the systems benefits charge. The authority may revise the systems benefits charge or any element of

said charge as the need arises. Commencing on July 1,

[D]2014<D>

[A]2015<A> , and annually thereafter, the sum of

[D]one<D>

[A]two<A> million one hundred thousand dollars shall be

transferred from the systems benefits charge to Operation Fuel, Incorporated, for

energy assistance, provided

[D>one<D]

[A>two<A] hundred thousand dollars of such sum may be

used for administrative purposes. The systems benefits charge shall also be used to fund (1) the expenses of the public education outreach program developed under section 16-244d other than expenses for authority staff, (2) the cost of hardship protection measures under sections 16-262c and 16-262d and other hardship protections, including, but not limited to, electric service bill payment programs, funding and technical support for energy assistance, fuel bank and weatherization programs and weatherization services, (3) the payment program to offset tax losses described in section 12-94d, (4) any sums paid to a resource recovery authority pursuant to subsection (b) of section 16-243e, (5) low income conservation programs approved by the Public Utilities Regulatory Authority, (6) displaced worker protection costs, (7) unfunded storage and disposal costs for spent nuclear fuel generated before January 1, 2000, approved by the appropriate regulatory agencies, (8) postretirement safe shutdown and site protection costs that are incurred in preparation for decommissioning, (9) decommissioning fund contributions, (10) costs associated with the Connecticut electric efficiency partner program established pursuant to section 16-243v, (11) reinvestments and investments in energy efficiency programs and technologies pursuant to section 16a-38 l, costs associated with the electricity conservation incentive program established pursuant to section 119 of public act 07-242, (12) legal, appraisal and purchase costs of a conservation or land use restriction and other related costs as the authority in its discretion deems appropriate, incurred by a municipality on or before January 1, 2000, to ensure the environmental, recreational and scenic preservation of any reservoir located within this state created by a pump storage hydroelectric generating facility, and (13) the residential furnace and boiler replacement program pursuant to subsection (k) of section 16-243v. As used in this subsection, "displaced worker protection costs" means the reasonable costs incurred, prior to January 1, 2008, (A) by an electric supplier, exempt wholesale generator, electric company, an operator of a nuclear power generating facility in this state or a generation entity or affiliate arising from the dislocation of any employee other than an officer, provided such dislocation is a result of (i) restructuring of the electric generation market and such dislocation occurs on or after July 1, 1998, or (ii) the closing of a Title IV source or an exempt wholesale generator, as defined in 15 USC 79z-5a, on or after January 1, 2004, as a result of such source's failure to meet requirements imposed as a result of sections 22a-197 and 22a-198 and this section or those Regulations of Connecticut State Agencies adopted by the Department of Energy and Environmental Protection, as amended from time to time, in accordance with Executive Order Number 19, issued on May 17, 2000, and provided further such costs result from either the execution of agreements reached through collective bargaining for union employees or from the company's or entity's or affiliate's programs and policies for nonunion employees, and (B) by an electric distribution company or an exempt wholesale generator arising from the retraining of a former employee of an unaffiliated exempt wholesale generator, which employee was involuntarily dislocated on or after January 1, 2004, from such wholesale generator, except for cause. "Displaced worker protection costs" includes costs incurred or projected for severance, retraining, early retirement, outplacement, coverage for surviving spouse insurance benefits and related expenses.

Sec. 412. Subsection (b) of section 15-140f of the general statutes, as amended by section 2 of public act 15-25, is repealed and the following is substituted in lieu thereof (Effective from passage):

(b) (1) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, setting forth the content of safe boating operation courses. Such regulations may include provisions for examinations, issuance of safe boating certificates and establishment of reasonable fees for the course and examination and for issuing certificates, temporary certificates and duplicate certificates.

(2) The commissioner shall amend the regulations described in subdivision (1) of this subsection to set forth the content for instruction on safe water skiing, which shall be part of the course in safe boating operation. Such safe water skiing content shall include instruction on the safe operation of a vessel while engaged in water skiing. Such regulations [A>may include provisions establishing a fee for a safe water skiing endorsement and an alternative online course only for such safe water skiing endorsement and<A] shall include provisions for the issuance of a safe water skiing endorsement to be placed on a safe boating certificate or certificate of personal watercraft operation, including, but not limited to, provisions for including safe water skiing questions in the safe boating certificate examination and provisions for revoking any such endorsement. The commissioner shall make available on the department's Internet web site online information in safe water skiing that provides equivalent information on safe water skiing to such safe water skiing instruction provided as part of the course in safe boating operation.

Sec. 413. (NEW) (Effective from passage) (a) The Labor Commissioner, in consultation with the State Treasurer, the State Comptroller and the Commissioner of Administrative Services, shall establish the procedures necessary to implement a paid family and medical leave program.

(b) Not later than October 1, 2015, the Labor Commissioner shall contract with a consultant to create an implementation plan for the paid family and medical leave program. The implementation plan shall include, but not be limited to:

(1) A process to evaluate and establish mechanisms, through consultation with the entities described in subsection (a) of this section and the Department of Revenue Services, by which employees shall contribute a portion of their salary or wages to a program of paid family and medical leave that shall include the possibility of utilizing existing technology and payroll deduction systems;

(2) Identify and report on mechanisms for timely acceptance of claims, processing of claims, fraud prevention and any staffing, infrastructure and capital needs associated with administration of the program;

(3) Identify and report on mechanisms for timely distribution of employee compensation and any associated staffing, infrastructure and capital needs; and

(4) Identify and report on funding opportunities to assist with start-up costs and administration of the program, including, but not limited to, the availability of federal funds;

(c) Not later than October 1, 2015, the Labor Commissioner, in consultation with the State Treasurer, shall contract with a consultant to perform an actuarial analysis and report of the level of employee contributions necessary to ensure sustainable funding and administration of a paid family and medical leave compensation program.

(d) Not later than February 1, 2016, the Labor Commissioner shall submit a report, in accordance with section 11-4a of the general statutes, on the implementation plan described in subsection (b) of this section and the actuarial analysis described in subsection (c) of this section to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and labor.

Sec. 414. (NEW) (Effective July 1, 2015) (a) For the purposes of this section, "appointee or nominee" means a person appointed or nominated as a department head, as defined in section 4-5 of the general statutes, or as Chief Justice or a judge of the Supreme Court, Appellate Court or Superior Court.

(b) The Governor may, subject to the provisions of chapter 16 or 46 of the general statutes, as applicable, require each appointee or nominee to be fingerprinted and submit to state and national criminal history records checks conducted in accordance with section 29-17a of the general statutes.

Sec. 415. Section 17a-101q of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) Not later than July 1,

[D>2015<D]

[A>2016<A] , the Department of Children and Families,

in collaboration with the Department of Education and Connecticut Sexual Assault Crisis Services, Inc. , or a similar entity, shall identify or develop a state-wide sexual abuse and assault awareness and prevention program for use by local and regional boards of education. Such program shall be implemented in each local and regional school district and shall include:

(1) For teachers, instructional modules that may include, but not be limited to, (A) training regarding the prevention and identification of, and response to, child sexual abuse and assault, and (B) resources to further student, teacher and parental awareness regarding child sexual abuse and assault and the prevention of such abuse and assault;

(2) For students, age-appropriate educational materials designed for children in grades kindergarten to twelve, inclusive, regarding child sexual abuse and assault awareness and prevention that may include, but not be limited to, (A) the skills to recognize (i) child sexual abuse and assault, (ii) boundary violations and unwanted forms of touching and contact, and (iii) ways offenders groom or desensitize victims, and (B) strategies to (i) promote disclosure, (ii) reduce self-blame, and (iii) mobilize bystanders; and

(3) A uniform child sexual abuse and assault response policy and reporting procedure that may include, but not be limited to, (A) actions that child victims of sexual abuse and assault may take to obtain

assistance, (B) intervention and counseling options for child victims of sexual abuse and assault, (C) access to educational resources to enable child victims of sexual abuse and assault to succeed in school, and (D) uniform procedures for reporting instances of child sexual abuse and assault to school staff members.

(b) Not later than October 1,

[D>2015<D]

[A>2016<A] , each local and regional board of

education shall implement the sexual abuse and assault awareness and prevention program identified or developed pursuant to subsection (a) of this section.

(c) No student in grades kindergarten to twelve, inclusive, shall be required by any local or regional board of education to participate in the sexual abuse and assault awareness and prevention program offered within the public schools. A written notification to the local or regional board of education by the student's parent or legal guardian shall be sufficient to exempt the student from such program in its entirety or from any portion thereof so specified by the parent or legal guardian.

(d) If a student is exempted from the sexual abuse and assault awareness and prevention program pursuant to subsection (c) of this section, the local or regional board of education shall provide, during the period of time in which the student would otherwise be participating in such program, an opportunity for other study or academic work.

Sec. 416. Section 3-123aaa of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

As used in this section and sections 3-123bbb to 3-123hhh, inclusive:

(1) "Health Care Cost Containment Committee" means the committee established in accordance with the ratified agreement between the state and the State Employees Bargaining Agent Coalition pursuant to subsection (f) of section 5-278.

(2) "Nonprofit employee" means any employee of a nonprofit employer.

(3) "Nonprofit employer" means (A) a nonprofit corporation, organized under 26 USC 501, as amended from time to time, that (i) has a purchase of service contract, as defined in section 4-70b, or (ii) receives fifty per cent or more of its gross annual revenue from grants or funding from the state, the federal government or a municipality or any combination thereof, or (B) an organization that is tax exempt pursuant to 26 USC 501(c)(5), as amended from time to time.

(4) "Nonstate public employee" means any employee or elected officer of a nonstate public employer.

(5) "Nonstate public employer" means a municipality or other political subdivision of the state, including a board of education, quasi-public agency or public library. A municipality and a board of education may

be considered separate employers.

(6) "Partnership plan" means a health care benefit plan offered by the Comptroller

to

[A>(A)<A] nonstate public employers or nonprofit employers
[D>under<D]
[A>pursuant to<A]

section 3-123bbb [A>, (B) graduate assistants at The University of Connecticut and The University of Connecticut Health Center, (C) postdoctoral trainees at The University of Connecticut and The University of Connecticut Health Center, (D) graduate fellows at The University of Connecticut and The University of Connecticut Health Center, and (E) graduate students of The University of Connecticut participating in university-funded internships as part of their graduate program<A] .

(7) "State employee plan" means a self-insured group health care benefits plan established under subsection (m) of section 5-259.

Sec. 417. Section 10a-105 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) Subject to the provisions of sections 10a-8 and 10a-26, the Board of Trustees of The University of Connecticut shall fix fees for tuition and shall fix fees for such other purposes as the board deems necessary at The University of Connecticut, and may make refunds of the same.

(b) The Board of Trustees of The University of Connecticut shall establish and administer a fund to be known as The University of Connecticut Operating Fund, and in addition, may establish a Special External Gift Fund, and an endowment fund, as defined in section 10a-109c, and such other funds as may be established pursuant to subdivision (13) of subsection (a) of section 10a-109d. Appropriations from general revenues of the state and, upon request by the university and with an annual review and approval by the Secretary of the Office of Policy and Management, the amount of the appropriations for fringe benefits and workers' compensation applicable to the university pursuant to subsection (a) of section 4-73, shall be transferred from the Comptroller, and all tuition revenue received by the university in accordance with the provisions of subsection (a) of this section, income from student fees or related charges, the proceeds of auxiliary activities and business enterprises, gifts and donations, federal funds and grants for purposes other than research and all receipts derived from the conduct by The University of Connecticut of its education extension program and its summer school session, except funds received by The University of Connecticut Health Center, shall be deposited in said operating fund. If the Secretary of the Office of Policy and Management disapproves such transfer, he may require the amount of the appropriation for operating expenses to be used for personal services and fringe benefits to be excluded from said fund. The State Treasurer shall review and approve the transfer prior to such request by the university. All costs of waiving or remitting tuition pursuant to subsection (g) of this section, except the cost of waiving or remitting tuition for students enrolled in the schools of medicine or dental medicine,

shall be charged to said fund. Repairs, alterations or additions to facilities supported by said fund costing one million dollars or more shall require the approval of the General Assembly, or when the General Assembly is not in session, of the Finance Advisory Committee. Any balance of receipts above expenditures shall remain in said fund, except such sums as may be required for deposit into a debt service fund or the General Fund for further payment by the Treasurer of debt service on general obligation bonds of the state issued for purposes of The University of Connecticut.

(c) The Board of Trustees of The University of Connecticut shall establish and administer a fund to be known as The University of Connecticut Health Center Operating Fund. Appropriations from general revenues of the state except the amount of the appropriation for operating expenses to be used for personal services and the appropriations for fringe benefits pursuant to subsection (a) of section 4-73, all tuition revenue received by the health center in accordance with the provisions of subsection (a) of this section, income from student fees or related charges, proceeds from auxiliary and business enterprises, gifts and donations, federal funds and grants for purposes other than research and other income relative to these activities shall be deposited in said fund. All costs of waiving or remitting tuition pursuant to subsection (g) of this section for students enrolled in the schools of medicine or dental medicine shall be charged to said fund. Repairs, alterations or additions to facilities supported by said fund costing one million dollars or more shall require the approval of the General Assembly, or when the General Assembly is not in session, of the Finance Advisory Committee. Any balance of receipts above expenditures shall remain in said fund, except such sums as may be required for deposit into a debt service fund or the General Fund for further payment by the Treasurer of debt service on general obligation bonds of the state issued for purposes of The University of Connecticut Health Center.

(d) Commencing December 1, 1981, and thereafter not later than sixty days after the close of each quarter, the board of trustees shall submit to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, the Office of Higher Education and the Office of Policy and Management a report on the actual expenditures of The University of Connecticut Operating Fund and The University of Connecticut Health Center Operating Fund containing such relevant information as the Office of Policy and Management may require in the form prescribed by the board of regents in accordance with subsection (a) of section 10a-8.

(e) Said board of trustees shall waive the payment of tuition fees at The University of Connecticut (1) for any dependent child of a person whom the armed forces of the United States has declared to be missing in action or to have been a prisoner of war while serving in such armed forces after January 1, 1960, which child has been accepted for admission to The University of Connecticut and is a resident of Connecticut at the time such child is accepted for admission to said institution, (2) subject to the provisions of subsection (f) of this section, for any veteran who performed service in time of war, as defined in subsection (a) of section 27-103, except that for purposes of this subsection, "service in time of war" shall not include time spent in attendance at a military service academy, who has been accepted for admission to said institution and is domiciled in this state at the time such veteran is accepted for admission to said institution, (3) for any resident of Connecticut sixty-two years of age or older who has been accepted for admission to said institution, provided (A) such person is enrolled in a degree-granting

program, or (B) at the end of the regular registration period, there are enrolled in the course a sufficient number of students other than those persons eligible for waivers pursuant to this subdivision to offer the course in which such person intends to enroll and there is space available in such course after accommodating all such students, (4) for any active member of the Connecticut Army or Air National Guard who (A) has been certified by the Adjutant General or such Adjutant General's designee as a member in good standing of the guard, and (B) is enrolled or accepted for admission to said institution on a full-time or part-time basis in an undergraduate or graduate degree-granting program, (5) for any dependent child of a (A) police officer, as defined in section 7-294a, or supernumerary or auxiliary police officer, (B) firefighter, as defined in section 7-323j, or member of a volunteer fire company, (C) municipal employee, or (D) state employee, as defined in section 5-154, killed in the line of duty, (6) for any resident of the state who is the dependent child or surviving spouse of a specified terrorist victim who was a resident of the state, (7) for any dependent child of a resident of the state who was killed in a multivehicle crash at or near the intersection of Routes 44 and 10 and Nod Road in Avon on July 29, 2005, and (8) for any resident of the state who is a dependent child or surviving spouse of a person who was killed in action while performing active military duty with the armed forces of the United States on or after September 11, 2001, and who was a resident of this state. If any person who receives a tuition waiver in accordance with the provisions of this subsection also receives educational reimbursement from an employer, such waiver shall be reduced by the amount of such educational reimbursement. Veterans described in subdivision (2) of this subsection and members of the National Guard described in subdivision (4) of this subsection shall be given the same status as students not receiving tuition waivers in registering for courses at The University of Connecticut. Notwithstanding the provisions of section 10a-30, as used in this subsection, "domiciled in this state" includes domicile for less than one year.

(f) (1) If any veteran described in subsection (e) of this section has applied for federal educational assistance under the Post-9/11 Veterans Educational Assistance Act of 2008, the board of trustees shall waive the payment of tuition at The University of Connecticut for such veteran in accordance with subdivision (2) of this subsection. If any such veteran certifies to said board that such veteran's application for such federal educational assistance has been denied or withdrawn, said board of trustees shall waive the payment of tuition in accordance with subsection (d) of this section.

(2) (A) For purposes of this subdivision, "veteran tuition benefit" means the portion of federal educational assistance under the Post-9/11 Veterans Educational Assistance Act of 2008 to be paid to The University of Connecticut on behalf of a veteran that represents payment for tuition. Such portion shall be calculated by multiplying (i) the total amount of such federal educational assistance to be paid to The University of Connecticut on behalf of such veteran by (ii) an amount obtained by dividing (I) the actual tuition charged by The University of Connecticut to such veteran by (II) the sum of the actual tuition and fees charged by The University of Connecticut to such veteran.

(B) Said board of trustees shall waive the payment of tuition in excess of the veteran tuition benefit at The University of Connecticut for such veteran.

(g) Said board [A>of trustees<A] shall set aside from its anticipated tuition revenue, an amount not less

than that required by the board of governors' tuition policy established under subdivision (3) of subsection (a) of section 10a-6. Such funds shall be used to provide tuition waivers, tuition remissions, grants for educational expenses and student employment for any undergraduate, graduate or professional student who is enrolled as a full or part-time matriculated student in a degree-granting program, or enrolled in a precollege remedial program, and who demonstrates substantial financial need. Said board may also set aside from its anticipated tuition revenue an additional amount equal to one per cent of said tuition revenue for financial assistance for students who would not otherwise be eligible for financial assistance but who do have a financial need as determined by the university in accordance with this subsection. In determining such financial need, the university shall exclude the value of equity in the principal residence of the student's parents or legal guardians, or in the student's principal residence if the student is not considered to be a dependent of his parents or legal guardians and shall assess the earnings of a dependent student at the rate of thirty per cent.

(h) The University of Connecticut Operating Fund shall be reimbursed for the amount by which tuition waivers granted under subsection (e) of this section exceed two and one-half per cent of tuition revenue through an annual state appropriation. The board of trustees shall request such an appropriation and said appropriation shall be based upon an estimate of tuition revenue loss using tuition rates in effect for the fiscal year in which such appropriation will apply.

(i) Said board [A>of trustees<A] shall grant remission or waiver of tuition for graduate assistants at the university. Assistantship payments to graduate assistants shall not be considered salaries and wages under the provisions of section 3-119, and shall be paid according to a schedule prescribed by the university and approved by the State Comptroller.

[A>(j) Said board of trustees may provide health care coverage for graduate assistants, postdoctoral trainees, graduate fellows and graduate student interns identified in subdivision (6) of section 3-123aaa, as amended by this act, by enrolling such individuals in a partnership plan as defined in section 3-123aaa, as amended by this act. All premiums and expenses resulting from the participation of such individuals in the partnership plan shall be paid by the university. No such premiums or expenses shall be charged to the General Fund.<A]

[D>(j)<D]

[A>(k)<A] Said board of trustees shall allow any student who is a member of the

armed forces called to active duty during any semester to enroll in any course for which such student had remitted tuition but which was not completed due to active duty status. Such course reenrollment shall be offered to any qualifying student for a period not exceeding four years after the date of release from active duty without additional tuition, student fee or related charge, except if such student has been fully reimbursed for the tuition, fees and charges for the course that was not completed.

Sec. 418. Section 17a-62a of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2017):

(a) As used in this section:

(1) "Homeless youth" means a person
[D>under twenty-one<D]
[A>twenty-three<A] years of age

[A>or younger<A] who is without shelter where appropriate care and supervision are available and who lacks a fixed, regular and adequate nighttime residence, including a youth under the age of eighteen whose parent or legal guardian is unable or unwilling to provide shelter and appropriate care;

(2) "Fixed, regular and adequate nighttime residence" means a dwelling at which a person resides on a regular basis that adequately provides safe shelter, but does not include (A) a publicly or privately operated institutional shelter designed to provide temporary living accommodations; (B) transitional housing; (C) a temporary placement with a peer, friend or family member who has not offered a permanent residence, residential lease or temporary lodging for more than thirty days; or (D) a public or private place not designed for or ordinarily used as a regular sleeping place by human beings; and

(3) "Aftercare services" means continued counseling, guidance or support for not more than six months following the provision of services.

(b) The Department of [A>Housing, in collaboration with the Department of<A] Children and Families, within available appropriations, shall establish a program that provides one or more of the following services for homeless youth: Public outreach, respite housing, and transitional living services for homeless youth and

youth at risk of homelessness. The

[D>department<D]
[A>Department of Housing<A] may enter

into a contract with nonprofit organizations or municipalities to implement this section. Such program may have the following components:

(1) A public outreach and drop-in component that provides youth drop-in centers with walk-in access to crisis intervention and ongoing supportive services, including one-to-one case management services on a self-referral basis and public outreach that locates, contacts and provides information, referrals and services to homeless youth and youth at risk of homelessness. Such component may include, but need not be limited to, information, referrals and services for (A) family reunification services, conflict resolution or mediation counseling; (B) respite housing, case management aimed at obtaining food, clothing, medical care or mental health counseling, counseling regarding violence, prostitution, substance abuse, sexually transmitted diseases, HIV and pregnancy, and referrals to agencies that

provide support services to homeless youth and youth at risk of homelessness; (C) education, employment and independent living skills; (D) aftercare services; and (E) specialized services for highly vulnerable homeless youth, including teen parents, sexually exploited youth and youth with mental illness or developmental disabilities;

(2) A respite housing component that provides homeless youth with referrals and walk-in access to respite care on an emergency basis that includes voluntary housing, with private shower facilities, beds and at least one meal each day, and assistance with reunification with family or a legal guardian when required or appropriate. Services provided at respite housing may include, but need not be limited to, (A) family reunification services or referral to safe housing; (B) individual, family and group counseling; (C) assistance in obtaining clothing; (D) access to medical and dental care and mental health counseling; (E) education and employment services; (F) recreational activities; (G) case management, advocacy and referral services; (H) independent living skills training; and (I) aftercare services and transportation; and

(3) A transitional living component that (A) assists homeless youth in finding and maintaining safe housing, and (B) includes rental assistance and related supportive services. Such component may include, but need not be limited to, (i) educational assessment and referral to educational programs; (ii) career planning, employment, job skills training and independent living skills training; (iii) job placement; (iv) budgeting and money management; (v) assistance in securing housing appropriate to needs and income; (vi) counseling regarding violence, prostitution, substance abuse, sexually transmitted diseases and pregnancy, referral for medical services or chemical dependency treatment; and (vii) parenting skills, self-sufficiency support services or life skills training and aftercare services.

(c) On or before February 1,

[D>2012<D]

[A>2018<A] , and annually thereafter, the
[D>Commissioner of Children and Families<D]

[A>Commissioners of Housing and Children and

Families<A] shall submit a report regarding the program established under subsection (b) of this section, in accordance with section 11-4a, to the joint standing

[D>committee<D]

[A>committees<A] of the General Assembly having cognizance of matters

relating to [A>housing and<A] children. The report shall include recommendations for any changes to the program to ensure that the best available services are being delivered to homeless youth and youth at risk of homelessness. The report shall include key outcome indicators and measures and shall set benchmarks for evaluating progress in accomplishing the purposes of subsection (b) of this section.

Sec. 419. Section 8-37r of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2017):

(a) There shall be a Department of Housing, which shall be within the Department of Economic and Community Development for administrative purposes only, which shall be the lead agency for all matters relating to housing. The department head shall be the Commissioner of Housing, who shall be appointed by the Governor in accordance with the provisions of sections 4-5 to 4-8, inclusive, with the powers and duties therein prescribed. Said commissioner shall be responsible at the state level for all aspects of policy, development, redevelopment, preservation, maintenance and improvement of housing and neighborhoods. Said commissioner shall be responsible for developing strategies to encourage the provision of housing in the state, including housing for very low, low and moderate income families.

(b) The Department of Housing shall constitute a successor to the functions, powers and duties of the Department of Economic Development relating to housing, community development, redevelopment and urban renewal as set forth in chapters 128, 129, 130, 135 and 136 in accordance with the provisions of sections 4-38d, 4-38e and 4-39. The Department of Housing is designated a public housing agency for the purpose of administering the Section 8 existing certificate program and the housing voucher program pursuant to the Housing Act of 1937.

(c) The commissioner shall, in consultation with the interagency council on affordable housing established pursuant to section 8-37nnn, review the organization and delivery of state housing programs and submit a report with recommendations, in accordance with the provisions of section 11-4a, not later than January 15, 2013, to the joint standing committees of the General Assembly having cognizance of matters relating to housing and appropriations.

(d) Any order or regulation of the Department of Housing or Department of Economic and Community Development that is in force on January 1, 2013, shall continue in force and effect as an order or regulation until amended, repealed or superseded pursuant to law.

[A>(e) On and after July 1, 2017, the Department of Housing shall constitute a successor department, in accordance with the provisions of sections 4-38d, 4-38e and 4-39, to the Department of Children and Families with respect to the homeless youth program as set forth in section 17a-62a, as amended by this act.<A]

Sec. 420. Section 16-2a of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) There shall be an independent Office of Consumer Counsel, within the Department of Energy and Environmental Protection, for administrative purposes only, to act as the advocate for consumer interests in all matters which may affect Connecticut consumers with respect to public service companies, electric suppliers and certified telecommunications providers, including, but not limited to, rates and related issues, ratepayer-funded programs and matters concerning the reliability, maintenance, operations, infrastructure and quality of service of such companies, suppliers and

providers. The Office of Consumer Counsel is authorized to appear in and participate in any regulatory or judicial proceedings, federal or state, in which such interests of Connecticut consumers may be involved, or in which matters affecting utility services rendered or to be rendered in this state may be involved. The Office of Consumer Counsel shall be a party to each contested case before the Public Utilities Regulatory Authority and shall participate in such proceedings to the extent it deems necessary. Said Office of Consumer Counsel may appeal from a decision, order or authorization in any such state regulatory proceeding notwithstanding its failure to appear or participate in said proceeding.

(b) Except as prohibited by the provisions of section 4-181, the Office of Consumer Counsel shall have access to the records of the Public Utilities Regulatory Authority and shall be entitled to call upon the assistance of the authority's and the department's experts, and shall have the benefit of all other facilities or information of the authority or department in carrying out the duties of the Office of Consumer Counsel, except for such internal documents, information or data as are not available to parties to the authority's proceedings. The department shall provide such space as necessary within the department's quarters for the operation of the Office of Consumer Counsel, and the department shall be empowered to set regulations providing for adequate compensation for the provision of such office space.

[A>(c) There shall be established an Office of State Broadband within the Office of Consumer Counsel. The Office of State Broadband shall work to facilitate the availability of broadband access to every state citizen and to increase access to and the adoption of ultra-high-speed gigabit capable broadband networks. The Office of Consumer Counsel may work in collaboration with public and nonprofit entities and state agencies, and may provide advisory assistance to municipalities, local authorities and private corporations for the purpose of maximizing opportunities for the expansion of broadband access in the state and fostering innovative approaches to broadband in the state, including the procurement of grants for such purpose. The Office of State Broadband shall include a Broadband Policy Coordinator and such other staff as the Consumer Counsel deems necessary to perform the duties of the Office of State Broadband.<A]

[D>(c)<D]

[A>(d)<A] The Office of Consumer Counsel shall be under the direction of a

Consumer Counsel, who shall be appointed by the Governor with the advice and consent of either house of the General Assembly. The Consumer Counsel shall be an elector of this state and shall have demonstrated a strong commitment and involvement in efforts to safeguard the rights of the public. The Consumer Counsel shall serve for a term of five years unless removed pursuant to section 16-5. The salary of the Consumer Counsel shall be equal to that established for management pay plan salary group seventy-one by the Commissioner of Administrative Services. No Consumer Counsel shall, for a period of one year following the termination of service as Consumer Counsel, accept employment by a public service company, a certified telecommunications provider or an electric supplier. No Consumer

Counsel who is also an attorney shall in any capacity, appear or participate in any matter, or accept any compensation regarding a matter, before the Public Utilities Regulatory Authority, for a period of one year following the termination of service as Consumer Counsel.

[D>(d)<D]

[A>(e)<A] The Consumer Counsel shall hire such staff as necessary to perform the

duties of said Office of Consumer Counsel and may employ from time to time outside consultants knowledgeable in the utility regulation field including, but not limited to, economists, capital cost experts and rate design experts. The salaries and qualifications of the individuals so hired shall be determined by the Commissioner of Administrative Services pursuant to section 4-40.

[D>(e)<D]

[A>(f)<A] Nothing in this section shall be construed to prevent any party

interested in such proceeding or action from appearing in person or from being represented by counsel therein.

[D>(f)<D]

[A>(g)<A] As used in this section, "consumer" means any person, city, borough or

town that receives service from any public service company, electric supplier or from any certified telecommunications provider in this state whether or not such person, city, borough or town is financially responsible for such service.

[D>(g)<D]

[A>(h)<A] The Office of Consumer Counsel shall not be required to post a bond as

a condition to presenting an appeal from any state regulatory decision, order or authorization.

[D>(h)<D]

[A>(i)<A] The expenses of the Office of Consumer Counsel shall be assessed in

accordance with the provisions of section 16-49.

Sec. 421. Section 3-66a of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) During the

[D>1998<D]

[A>2016<A] calendar year and every second year thereafter, the Treasurer shall cause notice to be

[D>published<D]

[A>posted electronically on the

Treasurer's Internet web site<A] of all property having a value of fifty dollars or more reported and transferred to the Treasurer which was presumed abandoned during preceding calendar years and notice of which was not previously published [A>or posted<A] . [D>Such notice shall be published at least once in a newspaper having general circulation in each county in which is located the last-known address of each person appearing to be the owner of such property.<D] In addition to such

[D>published<D]

[A>posted<A] notice, the Treasurer may make such notice accessible to the

public electronically [D>by means of the Internet's world wide web or<D] through additional telecommunications methods as the Treasurer deems cost effective and appropriate.

(b)

[D>Such published<D]

[A>The posted<A] notice

[A>required under subsection (a) of this

section<A] shall contain: (1) The names, in alphabetical order, and the last-known addresses, if any, of all persons reported as the apparent owners of unclaimed property, and (2) a statement that any person possessing an interest in such property may obtain from the Treasurer information concerning the amount and description of such property and the name and address of the holder thereof free

of charge. The Treasurer may cause to be

[D>published<D]

[A>posted<A] at any time, in the

manner prescribed in subsection (a) of this section, an additional notice stating that such list may be obtained from other specified sources.

(c) The Treasurer may insert in any such notice such additional information as the Treasurer deems necessary for the proper administration of this part.

(d) The provisions of this section shall not apply to items reported in the aggregate pursuant to subsection (h) of section 3-65a.

Sec. 422. Subsection (c) of section 3-70a of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(c) No agreement to locate property shall be valid if: (1) Such agreement is entered into (A) within two years after the date a report of unclaimed property is required to be filed under section 3-65a or (B) between the date such a report is required to be filed under said section and the date it is filed under said section, whichever period is longer, (2) such agreement is entered into within two

years after the date of

[D>publication<D]

[A>posting<A] of the notice required by section

3-66a, [A>as amended by this act,<A] or (3) pursuant to such agreement, any person undertakes to locate property included in a report of unclaimed property that is required to be filed under section 3-65a for a fee or other compensation exceeding ten per cent of the value of the recoverable property. An agreement to locate property shall be valid only if it is in writing, signed by the owner, and discloses the nature and value of the property, and the owner's share after the fee or compensation has been subtracted is clearly stipulated. Nothing in this section shall be construed to prevent an owner from asserting, at any time, that any agreement to locate property is based upon excessive or unjust consideration.

Sec. 423. (Effective from passage) The Secretary of the Office of Policy and Management, or the secretary's designee, shall review the reports of the Connecticut Institute for the 21st Century entitled "Framework for Connecticut's Fiscal Future" and, not later than February 1, 2016, the secretary shall, in accordance with section 11-4a of the general statutes, submit any recommendations concerning the findings contained in such reports to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and finance, revenue and bonding.

Sec. 424. Section 5-198 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

The offices and positions filled by the following-described incumbents shall be exempt from the classified service:

- (1) All officers and employees of the Judicial Department;
- (2) All officers and employees of the Legislative Department;
- (3) All officers elected by popular vote;
- (4) All agency heads, members of boards and commissions and other officers appointed by the Governor;
- (5) All persons designated by name in any special act to hold any state office;
- (6) All officers, noncommissioned officers and enlisted men in the military or naval service of the state and under military or naval discipline and control;
- (7) (A) All correctional wardens, as provided in section 18-82, and (B) all superintendents of state institutions, the State Librarian, the president of The University of Connecticut and any other commissioner or administrative head of a state department or institution who is appointed by a board or commission responsible by statute for the administration of such department or institution;
- (8) The State Historian appointed by the State Library Board;
- (9) Deputies to the administrative head of each department or institution designated by statute to act for and perform all of the duties of such administrative head during such administrative head's absence or incapacity;
- (10) Executive assistants to each state elective officer and each department head, as defined in section 4-5, provided (A) each position of executive assistant shall have been created in accordance with section 5-214, and (B) in no event shall the Commissioner of Administrative Services or the Secretary of the Office of Policy and Management approve more than four executive assistants for a department head;
- (11) One personal secretary to the administrative head and to each undersecretary or deputy to such head of each department or institution;
- (12) All members of the professional and technical staffs of the constituent units of the state system of higher education, as defined in section 10a-1, of all other state institutions of learning, of the Board of Regents for Higher Education, and of the agricultural experiment station at New Haven, professional and managerial employees of the Department of Education and teachers certified by the State Board of Education and employed in teaching positions at state institutions;
- (13) Physicians, dentists, student nurses in institutions and other professional specialists who are employed on a part-time basis;

- (14) Persons employed to make or conduct a special inquiry, investigation, examination or installation;
- (15) Students in educational institutions who are employed on a part-time basis;
- (16) Forest fire wardens provided for by section 23-36;
- (17) Patients or inmates of state institutions who receive compensation for services rendered therein;
- (18) Employees of the Governor including employees working at the executive office, official executive residence at 990 Prospect Avenue, Hartford and the Washington D. C. office;
- (19) Persons filling positions expressly exempted by statute from the classified service;
- (20) Librarians employed by the State Board of Education or any constituent unit of the state system of higher education;
- (21) All officers and employees of the Division of Criminal Justice;
- (22) Professional employees in the education professions bargaining unit of the Department of Rehabilitation Services;
- (23) Lieutenant colonels in the Division of State Police within the Department of Emergency Services and Public Protection;
- (24) The Deputy State Fire Marshal within the Department of Administrative Services;
- (25) The chief administrative officer of the Workers' Compensation Commission;
- (26) Employees in the education professions bargaining unit;
- (27) Disability policy specialists employed by the Council on Developmental Disabilities; [D>and<D]
- (28) The director for digital media and motion picture activities in the

Department of Economic and Community Development

[A>;<A]

[D>.<D]

[A> and<A]

[A>(29) Any Director of Communications 1, Director of Communications 1 (Rc), Director of Communications 2, Director of Communications 2 (Rc), Legislative Program Manager, Communications and Legislative Program Manager, Director of Legislation, Regulation and Communication, Legislative and Administrative Advisor 1, or Legislative and Administrative Advisor 2 as such positions are classified within the Executive Department.<A]

Sec. 425. (NEW) (Effective July 1, 2015) For purposes of this section, "state agency" has the same

meaning as provided in section 9-612 of the general statutes and "interpreting" has the same meaning as provided in section 46a-33a of the general statutes. Any state agency that is unable to fulfill a request for interpreting services with its own interpreting staff shall first request such services from the Department of Rehabilitation Services and may seek such services elsewhere if (1) the department is unable to fulfill the request in two business days, or (2) the agency shows good cause that it needs such services immediately. The provisions of this section shall not (A) apply to the Department of Rehabilitation Services if the department needs interpreting services related to an internal matter and the use of department interpreters may raise confidentiality concerns, or (B) affect any preexisting contract for interpreting services. Interpreting services provided by a state agency shall be in accordance with the provisions of section 46a-33a of the general statutes.

Sec. 426. Subsections (b) and (c) of section 14-62 of the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

[A>(b) (1) The selling price quoted by any dealer to a prospective buyer shall include, separately stated, the amount of the dealer conveyance fee and that such fee is negotiable. No dealer conveyance fee shall be added to the selling price at the time the order is signed by the buyer.<A]

[D>(b)<D]

[A>(2)<A] No dealer shall include in the selling price a dealer preparation charge for any item or service for which

[D>he<D]

[A>the dealer<A] is reimbursed by the

manufacturer or any item or service not specifically ordered by the buyer and itemized on the invoice.

(c) Each dealer shall provide a written statement to the buyer

[D>or<D]

[A>and<A]

prominently display a sign in the area of

[D>his<D]

[A>such dealer's<A] place of business

in which sales are negotiated which shall specify the amount of any conveyance or processing fee charged by such dealer, the services performed by the dealer for such fee, [A>that such fee is negotiable,<A] that such fee is not payable to the state of Connecticut and that the buyer may elect, where appropriate, to submit the documentation required for the registration and transfer of ownership of the motor vehicle which is the subject of the sale to the Commissioner of Motor Vehicles, in which case the dealer shall reduce such fee by a proportional amount. The Commissioner of Motor Vehicles shall

determine the size, typeface and arrangement of such information.

Sec. 427. Section 14-62a of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) No dealer licensed under the provisions of section 14-52 shall advertise the price of any motor vehicle unless the stated price in such advertisement includes the federal tax, the cost of delivery, dealer preparation and any other charges of any nature, except that such advertisement shall [A>(1)<A] state in at least eight-point bold type that any state or local tax, registration fees or dealer conveyance fee or processing fee, as defined in subsection (a) of section 14-62,

is excluded from such

[D>stated<D]

[A>advertised<A] price

[A>, and (2) separately state, in

at least eight-point bold type, immediately next to the phrase "Dealer Conveyance Fee", the amount of such dealer conveyance fee or processing fee<A] .

(b) Any new [A>or used<A] car dealer violating the provisions of this section shall be fined not more than one thousand dollars. The Commissioner of Motor Vehicles may suspend or revoke, in accordance with section 14-64, the license of any such dealer violating the provisions of this section.

Sec. 428. (Effective July 1, 2015) (a) Not later than November 1, 2015, each new car dealer and used car dealer licensed under section 14-52 of the general statutes, and continuously in business during the period from October 1, 2014, to September 30, 2015, inclusive, shall provide to the Legislative Program Review and Investigations Committee the following information: (1) The average amount charged by each dealer as a dealer conveyance fee or processing fee in each month of the year commencing October 1, 2014, and ending September 30, 2015; (2) a description of how such fee was calculated, and the reason for any month-to-month variations in such fee; and (3) the name and address of the dealer and whether such dealer is a new car dealer, a used car dealer or both. For purposes of this section, "dealer conveyance fee" or "processing fee" has the same meaning as provided in section 14-62 of the general statutes, as amended by this act.

(b) The Legislative Program Review and Investigations Committee shall facilitate the submission of information described in subsection (a) of this section by (1) publicizing the requirements of this section, (2) developing and distributing a form for such submission, except there shall be no requirement that such form be used, provided, if such form is not used, the information is submitted in a manner and form that reasonably conforms to the requirements of subsection (a) of this section, (3) allowing such submission either by mail or electronic mail, and (4) taking any follow-up steps necessary to ensure complete and accurate reporting of such information.

(c) The Legislative Program Review and Investigations Committee shall, not later than January 15, 2016,

report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to transportation. Such report shall be a compilation of the information submitted pursuant to this section and shall include a description of the methodology used to collect and report such information.

Sec. 429. (Effective from passage) The driveway running in front of the State Armory from the Legislative Office Building to Broad Street shall be designated the "Chief Michael J. Fallon Way".

Sec. 430. Subsection (a) of section 10a-22u of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) There shall be an account to be known as the private occupational school student protection account within the General Fund. Each private occupational school authorized in accordance with the provisions of sections 10a-22a to 10a-22o, to sections 10a-22a to 10a-22o, inclusive, shall pay to the State Treasurer an amount equal to ~~[D>one-half<D]~~ ~~[A>four-tenths<A]~~ of one per cent of the tuition received by such school per calendar quarter exclusive of any refunds paid, except that correspondence and home study schools authorized in accordance with the provisions of sections 10a-22a to 10a-22o, to sections 10a-22a to 10a-22o, inclusive, shall contribute to said account only for Connecticut residents enrolled in such schools. Payments shall be made by January thirtieth, April thirtieth, July thirtieth and October thirtieth in each year for tuition received during the three months next preceding the month of payment. In addition to amounts received based on tuition, the account shall also contain any amount required to be deposited into the account pursuant to sections 10a-22a to 10a-22o, to sections 10a-22a to 10a-22o, inclusive. Said account shall be used for the purposes of section 10a-22v. Any interest, income and dividends derived from the investment of the account shall be credited to the account. All direct expenses for the maintenance of the account may be charged to the account upon the order of the State Comptroller. The executive director may assess the account ~~[D>(1)<D]~~ for all direct expenses incurred in the implementation of the purposes of this section which are in excess of the normal expenditures of the Office of Higher Education ~~[A>.<A]~~ ~~[D>for accounting, auditing and clerical services, and (2) for the fiscal years ending June 30, 2000, and June 30, 2001, in an amount not to exceed one hundred seventy thousand dollars in each of such fiscal years for personnel and administrative expenses for the purposes of sections 10a-22a to 10a-22o, to sections 10a-22a to 10a-22o, inclusive, provided such amount does not exceed the annual interest accrual, which shall be transferred to the appropriation of the Office of Higher Education for personal services and other expenses for positions and responsibilities relating to said sections, provided the office has expended all federal funds that may be available for personnel and administrative expenses for the purposes of said sections. After disbursements are made pursuant to subdivisions (1) and (2) of this subsection, if the resources of the private occupational school student protection account exceed two million five hundred thousand dollars, no additional school assessments shall be made.<D]~~

Sec. 431. Subsection (f) of section 12-217jj of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(f) On and after July 1, 2006, and for income years commencing on or after January 1, 2006, all or part of any such credit allowed under this subsection shall be claimed against the tax imposed under chapter 207 or this chapter for the income year in which the production expenses or costs were incurred, or in the three immediately succeeding income years. [A>For tax credit vouchers issued on or after July 1, 2015, all or part of any such credit shall be claimed against the tax imposed under chapter 207 or this chapter for the income year in which the production expenses or costs were incurred, or in the five immediately succeeding income years.<A] Any production tax credit allowed under this subsection shall be nonrefundable.

Sec. 432. Section 13b-68 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) There is established a fund to be known as the "Special Transportation Fund". The fund may contain any moneys required or permitted by law to be deposited in the fund and any moneys recovered by the state for overpayments, improper payments or duplicate payments made by the state relating to any transportation infrastructure improvements which have been financed by special tax obligation bonds issued pursuant to sections 13b-74 to 13b-77, to sections 13b-74 to 13b-77, inclusive, and shall be held by the [D>State<D] Treasurer separate and apart from all other moneys, funds and accounts. Investment earnings credited to the assets of said fund shall become part of the assets of said fund. Any balance remaining in said fund at the end of any fiscal year shall be carried forward in said fund for the fiscal year next succeeding.

[A>(b) The Special Transportation Fund shall be a perpetual fund, the resources of which shall be expended solely for transportation purposes. Such purposes include the payment of debt service on obligations of the state incurred for transportation purposes. All sources of moneys, funds and receipts of the state required to be credited, deposited or transferred to said fund by state law on or after the effective date of this section shall continue to be credited, deposited or transferred to said fund, so long as the sources of such moneys, funds and receipts are collected or received by the state or any officer thereof. No law shall be enacted authorizing the resources of said fund to be expended other than for transportation purposes.<A]

[D>(b)<D]

[A>(c)<A] There is established a fund to be known as the "Transportation Grants

and Restricted Accounts Fund". Upon certification by the Comptroller and the Secretary of the Office of Policy and Management that the CORE-CT project for fiscal services is operational, the fund shall contain all transportation moneys that are restricted, not available for general use and previously accounted for in the Special Transportation Fund as "Federal and Other Grants". The Comptroller is authorized to make such transfers as are necessary to provide that, notwithstanding any provision of the

general statutes, all transportation moneys that are restricted and not available for general use are in the Transportation Grants and Restricted Accounts Fund.

Sec. 433. Section 13b-61 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) On and after July 1, 1975, there shall be paid promptly to the [D>State<D] Treasurer and thereupon, unless required to be otherwise applied by the terms of any lien, pledge or obligation created by or pursuant to the 1954 declaration or part III (C) of chapter 240, credited to the General Fund:

(1) All moneys received or collected by the state or any officer thereof on account of, or derived from, motor fuel taxes; provided on and after July 1, 1983, one cent of the amount imposed per gallon before July 1, 1984, and received or collected from any rate of such tax on motor fuels shall be credited by the [D>State<D] Treasurer to the Special Transportation Fund;

(2) All moneys received or collected by the state or any officer thereof on account of, or derived from, motor vehicle taxes;

(3) All moneys received or collected by the state or any officer thereof on account of, or derived from, expressway revenues;

(4) All moneys becoming payable, under the terms of the 1954 declaration and part III (C) of chapter 240, into the Highway or Additional Expressway Construction Funds mentioned in said declaration;

(5) All moneys received or collected by the state or any officer thereof on account of, or derived from, highway tolls;

(6) All other moneys received or collected by the [D>commissioner or his department<D] [A>Commissioner or Department of Transportation<A] ; and

(7) Any other receipts of the state required by law to be paid into the state Highway Fund or the Transportation Fund other than proceeds of bonds or other securities of the state or of federal grants under the provisions of federal law.

(b) Notwithstanding any provision of subsection (a) of this section, there shall be paid promptly to the [D>State<D] Treasurer and thereupon, unless required to be applied by the terms of any lien, pledge or obligation created by or pursuant to the 1954 declaration, part III (C) of chapter 240, credited to the Special Transportation Fund:

(1) On and after July 1, 1984, all moneys received or collected by the state or any officer thereof on account of, or derived from, sections 12-458 and 12-479, provided the State Comptroller is authorized to record as revenue to the General Fund for the fiscal year ending June 30, 1984, the amount of tax levied in accordance with said sections 12-458 and 12-479, on all fuel sold or used prior to the end of said fiscal year and which tax is received no later than July 31, 1984;

- (2) On and after July 1, 1984, all moneys received or collected by the state or any officer thereof on account of, or derived from, motor vehicle receipts;
- (3) On and after July 1, 1984, all moneys received or collected by the state or any officer thereof on account of, or derived from, (A) subsection (a) of section 14-192, and (B) royalty payments for retail sales of gasoline pursuant to section 13a-80;
- (4) On and after July 1, 1985, all moneys received or collected by the state or any officer thereof on account of, or derived from, license, permit and fee revenues as defined in section 13b-59, except as provided under subdivision (3) of this subsection;
- (5) On or after July 1, 1989, all moneys received or collected by the state or any officer thereof on account of, or derived from, section 13b-70;
- (6) On and after July 1, 1984, all transportation-related federal revenues of the state;
- (7) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, fees for the relocation of a gasoline station under section 14-320;
- (8) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, section 14-319;
- (9) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, fees collected pursuant to section 14-327b for motor fuel quality registration of distributors;
- (10) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, annual registration fees for motor fuel dispensers and weighing or measuring devices pursuant to section 43-3;
- (11) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, fees for the issuance of identity cards pursuant to section 1-1h;
- (12) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, safety fees pursuant to subsection (w) of section 14-49;
- (13) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, late fees for the emissions inspection of motor vehicles pursuant to subsection (k) of section 14-164c;
- (14) On and after July 1, 1997, all moneys received or collected by the state or any officer thereof on account of, or derived from, the sale of information by the Commissioner of Motor Vehicles pursuant to subsection (b) of section 14-50a;
- (15) On and after October 1, 1998, all moneys received by the state or any officer thereof on account of,

or derived from, section 14-212b;

(16) On and after July 1, 2009, all moneys received or collected by the state or any officer thereof on account of, or derived from, any direct federal subsidy pursuant to Section 6431 of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time, and relating to bonds or bond anticipation notes issued by the state pursuant to sections 13b-74 to 13b-77, to sections 13b-74 to 13b-77, inclusive;

(17) On and after July 1, 2011, all moneys received or collected by the state or any officer thereof on account of, or derived from, sections 13b-61a to 13b-61c, to sections 13b-61a to 13b-61c, inclusive;
[D>and<D]

(18) On and after July 1, 2011, any other funds, moneys and receipts of the state required by law to be deposited, transferred or paid into the Special Transportation Fund other than proceeds of bonds or other securities of the state

or of federal grants under the provisions of federal law

[A>;<A]

[D>.<D]

[A> and<A]

[A>(19) On and after July 1, 2015, all moneys received or collected by the state or any officer thereof on account of, or derived from, the use of highways, expressways and ferries, except as necessary for the direct payment of debt service on obligations of the state incurred for transportation purposes.<A]

Sec. 434. (Effective from passage) (a) There shall be, in any municipality with a population of not less than one hundred twenty-four thousand and not greater than one hundred twenty-eight thousand, an election monitor to detect and prevent irregularity and impropriety in the management of election administration procedures and the conduct of elections in such municipality. The office of the Secretary of the State shall contract with an individual to serve in such capacity as election monitor until January 1, 2017, unless such contract is terminated for any reason by the Secretary of the State prior to said date. Such election monitor shall: (1) Not be considered a state employee; (2) be compensated in accordance with such contract; and (3) be reimbursed for necessary expenses incurred in the performance of his or her duties. Such municipality shall provide for such election monitor office space, supplies, equipment and services necessary to properly carry out the duties and responsibilities of the position. For purposes of this subsection, "population" means the number of persons according to the most recent federal decennial census.

(b) An election monitor appointed under subsection (a) of this section shall: (1) Conduct inspections, inquiries and investigations relating to any duty or responsibility under title 9 of the general statutes to be carried out by any official of the municipality or appointee of such official; (2) have access to all records, data and material maintained by or available to any such official or appointee; and (3) immediately report to the Secretary of the State any irregularity or impropriety in the performance of any duty or

responsibility described in subdivision (1) of this subsection. Nothing in this section shall be construed to prohibit the State Elections Enforcement Commission from taking any action authorized under section 9-7b of the general statutes.

Sec. 435. (Effective from passage) Section 12-722 of the general statutes shall not apply with respect to the accrual of any interest, in the case of any underpayment of estimated tax by any individual, to the extent such underpayment was created by any provision of public act 15-244.

Sec. 436. Subsections (c) to (e), inclusive, of section 10-231c of the general statutes are repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(c) [A>(1)<A] On and after July 1, 2000, parents or guardians of children in any school and school staff may register for prior notice of pesticide application at their school. Each school shall maintain a registry of persons requesting such notice. Prior to providing for any application of pesticide within any building or on the grounds of any school, the local or regional board of education shall

provide for the

[D>mailing<D]

[A>transmittal<A] of notice

[A>, by electronic mail,<A] to

parents and guardians who have registered for prior notice under this section such

that

[D>the<D]

[A>such electronic mail<A] notice is received no later than twenty-four

hours prior to such application. Notice shall be given by any means practicable to school staff who have registered for such notice. Notice under this subsection

shall include

[D>(1)<D]

[A>(A)<A] the name of the active ingredient of the pesticide being applied,

[D>(2)<D]

[A>(B)<A] the target pest,

[D>(3)<D]

[A>(C)<A] the location of the application on the school property,

[D>(4)<D]

[A>(D)<A] the date of the application, and

[D>(5)<D]

[A>(E)<A] the

name of the school administrator, or a designee, who may be contacted for further information.

[A>(2) On and after October 1, 2015, prior to providing for any application of pesticide within any building or on the grounds of any school, in addition to the requirements of subdivision (1) of this subsection, the local or regional board of education shall provide for notice of such application not less than twenty-four hours prior to such application by posting the notice required by subdivision (1) of this subsection either on or through: (A) The home of the Internet web site for the school where such application will occur, or, in the event such school does not have a web site, on the home of the Internet web site for such local or regional board of education, and (B) the primary social media account of such school or local or regional board of education. Each local or regional board of education shall indicate on the home of such board of education how parents may register for prior notice of pesticide applications, as described in subdivision (1) of this subsection. Not later than March fifteenth of each year, the local or regional board of education shall send through the electronic mail notification or alert system or service of such school or local or regional board of education the notice required by subdivision (1) of this subsection for applications made since January first of such year and a listing of such notices for applications made during the March fifteenth through December thirty-first timeframe from the preceding calendar year. The local or regional board of education shall additionally print such electronic mail notification required by this subdivision in the applicable parent handbook or manual, provided nothing in this subdivision shall be construed to require the reprinting of such handbook or manual to provide such notification. Nothing in this subdivision shall require the development or use of an Internet web site, social media account or electronic mail notification or alert system that is not already in use or existence prior to the effective date of this section. For purposes of this section and section 10-231d, as amended by this act, "social media" means an electronic medium where users may create and view user-generated content, such as uploaded or downloaded videos or still photographs, blogs, video blogs, podcasts or instant messages.<A]

(d) On and after July 1, 2000, no application of pesticide may be made in any building or on the grounds of any school during regular school hours or during planned activities at any school except that an emergency application may be made to eliminate an immediate threat to human health if (1) it is necessary to make the application during such a period, and (2) such emergency application does not involve a restricted use pesticide, as defined in section 22a-47. No child may enter an area where such application has been made until it is safe to do so according to the provisions on the pesticide label.

(e) On and after July 1, 2000, a local or regional board of education may make an emergency application of pesticide without prior notice under this section in the event of an immediate threat to human health provided the board provides for notice, by any means practicable, on or before the day that the application is to take place to any person who has requested prior notice under this section [A>and concomitantly provides such notice in accordance with subdivision (2) of subsection (c) of this section<A] .

Sec. 437. Subsections (c) and (d) of section 10-231d of the general statutes are repealed and the

following is substituted in lieu thereof (Effective October 1, 2015):

(c) On and after July 1, 2000, parents or guardians of children in any school and school staff may register for notice of pesticide application at their school. Each school shall maintain a registry of persons requesting such notice. Notice under this subsection shall include (1) the name of the active ingredient of the pesticide being applied, (2) the [A>target pest, (3) the<A] location of the

application on the school property,

[D>(3)<D]

[A>(4)<A] the date of the application, and

[D>(4)<D]

[A>(5)<A] the name of the school administrator, or a designee, who may be

contacted for further information.

(d) [A>(1)<A] On and after July 1, 2000, a local or regional board of education shall provide notice, by any means practicable, to any person who has requested notice under this section on or before the day that any application of pesticide is to take place at a school. No application of pesticide may be made in any building or on the grounds of any school during regular school hours or during planned activities at any school except that an emergency application may be made to

eliminate an immediate threat to human health if

[D>(1)<D]

[A>(A)<A] it is necessary to make the application during such a period

[A>, <A] and

[D>(2)<D]

[A>(B)<A] such emergency

application does not involve a restricted use pesticide, as defined in section 22a-47. No child may enter an area of such application until it is safe to do so according to the provisions on the pesticide label.

[A>(2) On and after October 1, 2015, prior to providing for any application of pesticide within any building or on the grounds of any school, in addition to the requirements of subdivision (1) of this subsection, the local or regional board of education shall provide for notice of such application not less than twenty-four hours prior to such application by posting the notice required by subdivision (1) of this subsection either on or through: (A) The home of the Internet web site for the school where such application will occur, or, in the event such school does not have a web site, on the home of the Internet web site for such local or regional board of education, and (B) the primary social media account of such school or local or regional board of education. Each local or regional board of education shall indicate on the home of such board of education how parents may register for prior notice of pesticide applications, as described in subdivision (1) of this subsection. Not later than March fifteenth of each year, the local or regional board of education shall send through the electronic mail notification or alert system or service of such school or

local or regional board of education the notice required by subdivision (1) of this subsection for applications made since January first of such year and a listing of such notices for applications made during the March fifteenth through December thirty-first timeframe from the preceding calendar year. The local or regional board of education shall additionally print such electronic mail notification required by this subdivision in the applicable parent handbook or manual, provided nothing in this subdivision shall be construed to require the reprinting of such handbook or manual to provide such notification. Nothing in this subdivision shall require the development or use of an Internet web site, social media account or electronic mail notification or alert system that is not already in use or existence prior to the effective date of this section. For purposes of this section and section 10-231d, as amended by this act, "social media" means an electronic medium where users may create and view user-generated content, such as uploaded or downloaded videos or still photographs, blogs, video blogs, podcasts or instant messages.<A]

Sec. 438. Section 10-231a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

As used in sections 10-231b to 10-231d, to sections 10-231b to 10-231d, inclusive, [A>as amended by this act,<A] [D>and section 19a-79a,<D] (1) "pesticide" means a fungicide used on plants, an insecticide, a herbicide or a rodenticide, but does not mean a sanitizer, disinfectant, antimicrobial agent or pesticide bait, (2) "lawn care pesticide" means a pesticide registered by the United States Environmental Protection Agency and labeled pursuant to the federal Insecticide, Fungicide and Rodenticide Act for

use in lawn, garden and ornamental sites or areas

[A>.<A]

[D>, and<D]

[A>"Lawn care

pesticide" does not include (A) a microbial pesticide or biochemical pesticide that is registered with the United States Environmental Protection Agency, (B) a horticultural soap or oil that is registered with the United States Environmental Protection Agency and does not contain any synthetic pesticide or synergist, or (C) a pesticide classified by the United States Environmental Protection Agency as an exempt material pursuant to 40 CFR 152.25, as amended from time to time,<A] (3) "integrated pest management" means use of all available pest control techniques, including judicious use of pesticides, when warranted, to maintain a pest population at or below an acceptable level, while decreasing the use of pesticides[A>, (4) "microbial pesticide" means a pesticide that consists of a microorganism as the active ingredient, and (5) "biochemical pesticide" means a naturally occurring substance that controls pests by nontoxic mechanisms<A] .

Sec. 439. (NEW) (Effective October 1, 2015) (a) As used in this section:

(1) "Pesticide" means a fungicide used on plants, an insecticide, a herbicide or a rodenticide but does not mean a sanitizer, disinfectant, antimicrobial agent or a pesticide bait;

(2) "Microbial pesticide" means a pesticide that consists of a microorganism as the active ingredient;

(3) "Biochemical pesticide" means a naturally occurring substance that controls pests by nontoxic mechanisms;

(4) "Lawn care pesticide" means a pesticide registered by the United States Environmental Protection Agency and labeled pursuant to the federal Insecticide, Fungicide and Rodenticide Act for use in lawn, garden and ornamental sites or areas. "Lawn care pesticide" does not include (A) a microbial pesticide or biochemical pesticide that is registered with the United States Environmental Protection Agency, (B) a horticultural soap or oil that is registered with the United States Environmental Protection Agency and does not contain any synthetic pesticide or synergist, or (C) a pesticide classified by the United States Environmental Protection Agency as an exempt material pursuant to 40 CFR 152. 25, as amended from time to time;

(5) "Certified pesticide applicator" means a pesticide applicator with (A) supervisory certification under section 22a-54 of the general statutes, or (B) operational certification under section 22a-54 of the general statutes, who operates under the direct supervision of a pesticide applicator with such supervisory certification;

(6) "Controlling authority" means the executive head of the municipal department responsible for the maintenance of a playground or such person's designee. "Controlling authority" does not include the executive head of any municipal department responsible for the maintenance of any school;

(7) "Municipal playground" means an outdoor area owned or controlled by any town, city or borough, consolidated town and city or consolidated town and borough that is designated, dedicated and customarily used for playing by children, such as any such outdoor area that contains any swing set, slide, climbing structure, playset or device or object upon which children play. "Municipal playground" does not include any: (A) Playground located on the premises of any school, or (B) athletic field; and

(8) "Athletic field" means any field or open space used primarily for sporting activities.

(b) No person other than a certified pesticide applicator shall apply pesticide within any municipal playground except a person other than a certified pesticide applicator may make an emergency application of pesticide to eliminate an immediate threat to human health, including, but not limited to, the elimination of mosquitoes, ticks and stinging insects, provided (1) the controlling authority determines such emergency application of pesticide to be necessary, (2) the controlling authority deems it impractical to obtain the services of a certified pesticide applicator, and (3) such emergency application of pesticide does not involve a restricted use pesticide, as defined in section 22a-47 of the general statutes.

(c) No person shall apply a lawn care pesticide on the grounds of any municipal playground, except an emergency application of pesticide may be made to eliminate an immediate threat to human health, including, but not limited to, the elimination of mosquitoes, ticks and stinging insects, provided (1) the

controlling authority determines such emergency application of pesticide to be necessary, and (2) such emergency application of pesticide does not involve a restricted use pesticide, as defined in section 22a-47 of the general statutes.

(d) Prior to providing for any application of pesticide on the grounds of any municipal playground, the controlling authority shall, if the situation permits, within the existing budgetary resources available to the controlling authority, provide public notice of such application not later than twenty-four hours prior to such application of pesticide. Such public notice shall be posted on the Internet web site of the applicable municipality. If a controlling authority determines an emergency application of pesticide to be necessary pursuant to subsection (b) or (c) of this section, such notice shall be given as soon as practicable. Notice under this subsection shall include (1) the name of the active ingredient of the pesticide being applied, (2) the target pest, (3) the location of the application of pesticide on the grounds of the municipal playground, and (4) the date or proposed date of the application of pesticide. A copy of each notice of such application of pesticide at a municipal playground shall be maintained by the controlling authority for a period of five years from the date of application of the pesticide and available to members of the public.

Sec. 440. Section 22a-66 l of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) Each state department, agency or institution shall use integrated pest management at facilities under its control if the Commissioner of Energy and Environmental Protection has provided model pest control management plans pertinent to such facilities.

(b) Each state agency or school which enters into a contract for services for pest control and pesticide application may revise and maintain its bidding procedures to require contractors to supply integrated pest management services.

(c) The Commissioner of Energy and Environmental Protection shall, within available appropriations, annually review a sampling of state department, agency, school or institution pest control management plans required by regulations adopted under subsection (e) of this section or section 10-231b, and may review any application of pesticides to determine whether a state department, agency, school or institution acted in accordance with subsection (a) of this section.

(d) The Commissioner of Energy and Environmental Protection may provide model pest control management plans which incorporate integrated pest management for each appropriate category of commercial pesticide certification which it offers. The commissioner shall, within available resources, notify municipalities, school boards, and other political subdivisions of the state of the availability of the model plans for their use. The Commissioner of Energy and Environmental Protection shall consult with any state agency head in the development of any such plan for properties in the custody or control of such agency head.

(e) The Commissioner of Energy and Environmental Protection, in consultation with the Commissioner of

Public Health, shall adopt regulations, in accordance with the provisions of chapter 54, establishing requirements for the application of pesticides by any state department, agency or institution. Such regulations shall

include provisions

[A]:<A]

[D>for<D]

[A>(1) Requiring the use of<A] integrated pest management methods
[D>to<D]

[A>that<A] reduce the amount of pesticides used

[A>if the Commissioner of

Energy and Environmental Protection has provided model pest control management plans pertinent to such facilities, and (2) for the retention of records by each state department, agency or institution that applies any pesticide or implements an integrated pest management program that include, but are not limited to, the need that resulted in the use of pesticides, the location treated with such pesticide, the frequency of pesticide application at such location, the toxicity category and carcinogenic classification for any pesticide used, as established by the United States Environmental Protection Agency, and the cost for each pesticide application<A] . Notwithstanding the provisions of this section and any regulations adopted under this section, a pesticide may be applied if the Commissioner of Public Health determines there is a public health emergency or the Commissioner of Energy and Environmental Protection determines that such application is necessary for control of mosquitoes.

(f) The Commissioner of Energy and Environmental Protection shall develop and implement a program to inform the public of the principles of integrated pest management and to encourage its application in private properties.

Sec. 441. Subsection (g) of section 46b-38c of the general statutes, as amended by section 21 of public act 15-211, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(g) (1) In cases referred to the local family violence intervention unit, it shall be the function of the unit to (A) identify victim service needs, (B) assess offenders for the purpose of identifying appropriate services, [D>and<D] (C) monitor compliance with program requirements by offenders who are allowed to participate in the pretrial family violence education program described in subsection (h) of this section [A>, and (D) monitor offenders who have been referred to pretrial services or programs<A] .

(2) The Judicial Department may contract with victim service providers to make available, either directly or through referral, appropriate services that include, but are not limited to, the provision of trauma-informed care, as defined in subsection (d) of section 46b-38b.

(3) The Judicial Department may contract with service providers to provide domestic violence offender treatment programs for offenders referred by the court. Such treatment programs shall comply with the domestic violence offender program

standards promulgated under section 19 of

[D>this act<D]

[A>public act 15-211<A] . The

provisions of this subdivision shall not apply to the pretrial family violence education program described in subsection (h) of this section.

Sec. 442. (NEW) (Effective January 1, 2016) (a) There shall be a regional election monitor within each planning region, as defined in section 4-124i of the general statutes, who shall represent, consult with and act on behalf of the Secretary of the State in preparations for and operations of any election, primary or recanvass, or any audit conducted pursuant to section 9-320f of the general statutes.

(b) Not later than March first of the year of each regular election, each regional council of governments shall contract with an individual, in accordance with section 4-124p of the general statutes, to serve as the regional election monitor for such planning region. The regional election monitor shall (1) be an elector of this state, (2) perform the duties of the position in a nonpartisan manner, (3) have prior field experience in the conduct of elections, and (4) be certified by the Secretary of the State in accordance with subdivision (2) of subsection (b) of section 9-229 of the general statutes, as amended by this act, or as soon after execution of such contract as practicable. The regional election monitor shall not be considered a state employee and shall, in accordance with such contract, be compensated for the performance of any duty agreed upon by the parties and reimbursed for necessary expenses incurred in the performance of such duties. The regional council of governments shall, in accordance with such contract, provide the regional election monitor with any space, supplies, equipment and services necessary to properly carry out the duties of the position. The regional council of governments may terminate such contract for any reason.

(c) Not later than March first of the year of each regular election, each regional council of governments shall enter into a memorandum of understanding with the Secretary of the State concerning the regional election monitor under contract pursuant to subsection (b) of this section. The regional council of governments shall confirm within such memorandum of understanding that (1) each requirement described in subsection (b) of this section is satisfied and the contract between the regional council of governments and the individual who shall serve as regional election monitor specifies minimum expectations of performance under such contract, (2) such regional election monitor is subject to the control and direction of the Secretary of the State, (3) revocation by the Secretary of the State of such regional election monitor's certification constitutes breach of such contract and results in immediate termination of such contract, and (4) such regional election monitor is retained, absent termination of such contract by the council, until at least thirty days after such regular election.

Sec. 443. Subsections (b) and (c) of section 9-229 of the general statutes are repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(b)

[A>(1)<A] The Secretary of the State shall

[A>:<A]

[D>(1) request<D]

[A>(A) Request<A]

registrars of voters to volunteer to serve as instructors for moderators and

alternate moderators

[A>;<A]

[D>, (2)<D]

[A>(B)<A] select registrars from among such volunteersto serve as such instructors

[A>;<A]

[D>, (3)<D]

[A>(C)<A] establish a curriculum for instructional sessions for moderators and alternate moderators

[A>;<A]

[D>, (4)<D]

[A> (D)<A]

establish the number of such instructional sessions [A>to be held<A] , provided at least one such instructional session shall be held in each congressional district

in each calendar year

[A>;<A]

[D>, (5)<D]

[A>and (E)<A] train the instructors for such sessions

[A>.<A] [D>, and (6) certify moderators and alternate moderators.<D] The curriculum for such instructional sessions shall include, without limitation, procedures for counting and recording absentee ballots, "hands on" training in the use of voting tabulators, and the duties of a moderator in the conduct of a primary and election. The Secretary may employ assistants on a temporary basis within existing budgetary resources for the purpose of implementing the provisions of this section. Such assistants shall not be subject to the provisions of chapter 67. The instructors shall conduct instructional sessions for moderators and alternate moderators in accordance with their training by the Secretary of the State and the curriculum for such sessions.

[A>(2) The Secretary of the State shall also: (A) Coordinate with each regional election monitor under contract pursuant to section 442 of this act to hold regional instructional sessions for moderators and alternate moderators, in accordance with the curriculum established under subdivision (1) of this subsection; (B) establish the number of such regional instructional sessions to be held, provided at least one such regional instructional session shall be held within each planning region at the facilities of the regional council of governments prior to each regular election; and (C) train and certify each regional

election monitor for purposes of performing the duties of the position. The Secretary shall certify as a regional election monitor each individual who successfully completes training under subparagraph (C) of this subdivision, except the Secretary shall not so certify any individual who has been convicted of or pled guilty or nolo contendere to, in a court of competent jurisdiction, any (i) felony involving fraud, forgery, larceny, embezzlement or bribery, or (ii) criminal offense under this title. Any such initial certification granted under this subdivision shall expire two years after the date of its granting. Prior to expiration of the initial or any subsequent certification, a regional election monitor may undergo an abridged recertification process prescribed by the Secretary, and upon successful completion thereof, such certification shall be renewed for two years after the date of such completion. Only certification in accordance with this subdivision shall satisfy the requirement of subdivision (4) of subsection (b) of section 442 of this act, and the Secretary may revoke any such certification, with or without cause, at any time.<A]

[A>(3) The duties of each regional election monitor shall include, but not be limited to: (A) Holding the regional instructional sessions described in subdivision (2) of this subsection; (B) communicating with registrars of voters to assist, to the extent permitted under law, in preparations for and operations of any election, primary or recanvass, or any audit conducted pursuant to section 9-320f; and (C) transmitting any order issued by the Secretary of the State, pursuant to subsection (b) of section 9-3, as amended by this act.<A]

[A>(4)<A] Any elector may attend one or more of
[D>such instructional sessions<D]
[A> the

sessions held under subdivision (1) or (2) of this subsection<A] . Each instructor[A>or regional election monitor, as the case may be,<A] shall provide the Secretary of

the State with the name and address of each person who completes
[D>such a<D]
[A>any such<A]

session.

(c) The Secretary shall conduct certification sessions for moderators and alternate moderators each year at times and places to be determined by said Secretary, provided at least eight such sessions shall be held each calendar year and at least one such session shall be conducted prior to every primary. The Secretary shall certify each person who successfully completes an instructional session [A>or regional instructional session, as the case may be,<A] conducted in accordance with the provisions of subsection (b) of this section and an examination administered by the Secretary, as eligible to serve as moderator or alternate moderator at any election or primary held during the time such certification is effective, except the Secretary shall not certify any person as moderator or alternate moderator who has been

convicted of or pled guilty or nolo contendere to, in a court of competent jurisdiction, any (1) felony involving fraud, forgery, larceny, embezzlement or bribery, or (2) criminal offense under this title. Any [D>such certification made on or after October 1, 2011, shall be

effective for two years from the date of such certification<D]

[A>initial

certification granted under this subsection shall expire two years after the date of its granting. Prior to expiration of the initial or any subsequent certification, a moderator or alternate moderator may undergo an abridged recertification process prescribed by the Secretary, and upon successful completion thereof, such certification shall be renewed for two years after the date of such completion<A] . Only those persons who [D>attend and are thereby certified

at such session<D]

[A>are certified in accordance with this subsection<A] shall be

eligible to serve as moderators on election or primary day, except as provided in subsection (d) of this section or section 9-436. The Secretary of the State may adopt regulations, in accordance with the provisions of chapter 54, as the Secretary deems necessary to implement the certification process under this section.

Sec. 444. Subsection (b) of section 8-31b of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(b) A regional council of governments may accept or participate in any grant, donation or program available to any political subdivision of the state and may also accept or participate in any grant, donation or program made available to counties by any other governmental or private entity.

Notwithstanding the provisions of any special or public act, any political subdivision of the state may enter into an agreement with a regional council of governments to perform jointly or to provide, alone or in cooperation with any other entity, any service, activity or undertaking that the political subdivision is authorized by law to perform. A regional council of governments established pursuant to this section may administer and provide regional services to municipalities and may delegate such authority to subregional groups of such municipalities. Regional services provided to member municipalities shall be determined by each regional council of governments [A>, except as provided in section 442 of this act and subsection (b) of section 9-229, as amended by this act,<A] and may include, without limitation, the following services: (1) Engineering; (2) inspectional and planning; (3) economic development; (4) public safety; (5) emergency management; (6) animal control; (7) land use management; (8) tourism promotion; (9) social; (10) health; (11) education; (12) data management; (13) regional sewerage; (14)

housing; (15) computerized mapping; (16) household hazardous waste collection; (17) recycling; (18) public facility siting; (19) coordination of master planning; (20) vocational training and development; (21) solid waste disposal; (22) fire protection; (23) regional resource protection; (24) regional impact studies; and (25) transportation.

Sec. 445. Section 9-3 of the general statutes, as amended by section 3 of public act 15-224, is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

[A>(a)<A] The Secretary of the State, by virtue of the office, shall be the Commissioner of Elections of the state, with such powers and duties relating to the conduct of elections as are prescribed by law and, unless otherwise provided by state statute, the secretary's regulations, declaratory rulings, instructions and opinions, if in written form, [A>and any order issued under subsection (b) of this section,<A] shall be presumed as correctly interpreting and effectuating the administration of elections and primaries under this title, except for [D>chapter 155<D] [A>chapters 155 to 158, inclusive, and shall be executed, carried out or implemented, as the case may be<A] , provided nothing in this section shall be construed to alter the right of appeal provided under the provisions of chapter 54. [A>Any such written instruction or opinion shall be labeled as an instruction or opinion issued pursuant to this section, as applicable, and any such instruction or opinion shall cite any authority that is discussed in such instruction or opinion.<A]

[A>(b) During any municipal, state or federal election, primary or recanvass, or any audit conducted pursuant to section 9-320f, the Secretary of the State may issue an order, whether orally or in writing, to any registrar of voters or moderator to correct any irregularity or impropriety in the conduct of such election, primary or recanvass or audit. Any such order shall be effective upon issuance. As soon as practicable after issuance of an oral order pursuant to this subsection, the secretary shall reduce such order to writing, cite within such order any applicable provision of law authorizing such order and cause a copy of such written order to be delivered to the individual who is the subject of such order or, in the case that such order was originally issued in writing, issue a subsequent written order that conforms to such requirements. The Superior Court, on application of the secretary or the Attorney General, may enforce by appropriate decree or process any such order issued pursuant to this subsection.<A]

Sec. 446. Subsection (i) of section 12-632 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2017):

(i) In no event shall the total amount of all tax credits allowed to all business

firms pursuant to the provisions of this chapter exceed

[D>five<D]

[A>ten<A] million

dollars in any one fiscal year. Three million dollars of the total amount of tax credits allowed shall be granted to business firms eligible for tax credits pursuant to section 12-635.

Sec. 447. Section 45a-105 of the general statutes is repealed and the following is substituted in lieu

thereof (Effective July 1, 2015):

The fees charged by

[D>probate courts<D]

[A>Probate Courts<A] shall be uniform for all of

the probate districts established by law. Fees shall be assessed in accordance

with

[D>sections 45a-106<D]

[A>section 45a-107, as amended by this act, and sections

45a-109<A] to 45a-112, inclusive [A>, as amended by this act, and sections 449 and 450 of this act<A] .

Sec. 448. Section 45a-107 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The basic fees for all proceedings in the settlement of the estate of any deceased person, including succession and estate tax proceedings, shall be in accordance with the provisions of this section.

[A>(b) In the case of a decedent who dies on or after January 1, 2015, fees shall be computed as follows:<A]

[A>(1) The basis for fees shall be (A) the greatest of (i) the gross estate for succession tax purposes, as provided in section 12-349, (ii) the inventory, including all supplements thereto, (iii) the Connecticut taxable estate, as defined in section 12-391, or (iv) the gross estate for estate tax purposes, as provided in chapters 217 and 218, except as provided in subdivisions (5) and (6) of this subsection, plus (B) all damages recovered for injuries resulting in death, minus any hospital and medical expenses for treatment of such injuries resulting in death, minus any hospital and medical expenses for treatment of such injuries that are not reimbursable by medical insurance, and minus the attorney's fees and other costs and expenses of recovering such damages. Any portion of the basis for fees that is determined by property passing to the surviving spouse shall be reduced by fifty per cent. Except as provided in subdivisions (3) and (4) of this subsection, in no case shall the minimum fee be less than twenty-five dollars.<A]

[A>(2) Except as provided in subdivisions (3) and (4) of this subsection, fees shall be assessed in accordance with the following table:<A]

[A>Basis for Computation<A]

[A>Of Fees Total Fee<A]

[A>0 to \$500 \$25<A]

[A>\$501 to \$1,000 \$50<A]

[A]>\$1,000 to \$10,000 \$50, plus 1% of all<A]

[A]>in excess of \$1,000<A]

[A]>\$10,000 to \$500,000 \$150, plus .35% of all<A]

[A]>in excess of \$10,000<A]

[A]>\$500,000 to \$2,000,000 \$1,865, plus .25% of all<A]

[A]>in excess of \$500,000<A]

[A]>\$2,000,000 and over \$5,615 plus .5% of all<A]

[A]>in excess of \$2,000,000<A]

[A]>(3) Notwithstanding the provisions of subdivision (1) of this subsection, if the basis for fees is less than ten thousand dollars and a full estate is opened, the minimum fee shall be one hundred fifty dollars.<A]

[A]>(4) In any matter in which the Commissioner of Administrative Services is the legal representative of the estate pursuant to section 4a-16, the fee shall be the lesser of (A) the amount calculated under subdivisions (1) and (2) of this subsection, or (B) the amount collected by the Commissioner of Administrative Services after paying the expense of funeral and burial in accordance with section 17b-84.<A]

[A]>(5) In the case of a deceased person who was domiciled in this state on the date of his or her death, the gross estate for estate tax purposes shall, for the purpose of determining the basis for fees pursuant to subdivision (1) of this subsection, be reduced by the fair market value of any real property or tangible personal property of the deceased person situated outside of this state.<A]

[A]>(6) In the case of a deceased person who was not domiciled in this state on the date of his or her death but who owned real property or tangible personal property situated in this state on the date of his or her death, only the fair market value of such real property or tangible personal property situated in this state shall be included in the basis for fees pursuant to subdivision (1) of this subsection.<A]

[D]>(b)<D]

[A]>(c)<A] For estates in which proceedings were commenced on or after January 1,

2011, [A]>for decedents who died before January 1, 2015,<A] fees shall be computed as follows:

(1) The basis for fees shall be (A) the greatest of (i) the gross estate for succession tax purposes, as

provided in section 12-349, (ii) the inventory, including all supplements thereto, (iii) the Connecticut taxable estate, as defined in section 12-391, or (iv) the gross estate for estate tax purposes, as provided in chapters 217 and 218, except as provided in subdivisions (5) and (6) of this subsection, plus (B) all damages recovered for injuries resulting in death, minus any hospital and medical expenses for treatment of such injuries resulting in death, minus any hospital and medical expenses for treatment of such injuries that are not reimbursable by medical insurance, and minus the attorney's fees and other costs and expenses of recovering such damages. Any portion of the basis for fees that is determined by property passing to the surviving spouse shall be reduced by fifty per cent. Except as provided in subdivisions (3) and (4) of this subsection, in no case shall the minimum fee be less than twenty-five dollars.

(2) Except as provided in subdivisions (3) and (4) of this subsection, fees shall be assessed in accordance with the following table:

Basis for Computation

Of Fees Total Fee

0 to \$ 500 \$ 25

\$ 501 to \$ 1,000 \$ 50

\$ 1,000 to \$ 10,000 \$ 50, plus 1% of all

in excess of \$ 1,000

\$ 10,000 to \$ 500,000 \$ 150, plus . 35% of all

in excess of \$ 10,000

\$ 500,000 to \$ 4,754,000 \$ 1,865, plus . 25% of all

in excess of \$ 500,000

\$ 4,754,000 and over \$ 12,500

(3) Notwithstanding the provisions of subdivision (1) of this subsection, if the basis for fees is less than ten thousand dollars and a full estate is opened, the minimum fee shall be one hundred fifty dollars.

(4) In any matter in which the Commissioner of Administrative Services is the legal representative of the estate pursuant to section 4a-16, the fee shall be the lesser of (A) the amount calculated under subdivisions (1) and (2) of this subsection, or (B) the amount collected by the Commissioner of Administrative Services after paying the expense of funeral and burial in accordance with section 17b-84.

(5) In the case of a deceased person who was domiciled in this state on the date of his or her death, the

gross estate for estate tax purposes shall, for the purpose of determining the basis for fees pursuant to subdivision (1) of this subsection, be reduced by the fair market value of any real property or tangible personal property of the deceased person situated outside of this state.

(6) In the case of a deceased person who was not domiciled in this state on the date of his or her death but who owned real property or tangible personal property situated in this state on the date of his or her death, only the fair market value of such real property or tangible personal property situated in this state shall be included in the basis for fees pursuant to subdivision (1) of this subsection.

[D>(c)<D]

[A>(d)<A] For estates in which proceedings were commenced on or after April 1,

1998, and prior to January 1, 2011, fees shall be computed as follows:

(1) The basis for fees shall be (A) the gross estate for succession tax purposes, as provided in section 12-349, the inventory, including all supplements thereto, the Connecticut taxable estate, as defined in section 12-391, or the gross estate for estate tax purposes, as provided in chapters 217 and 218, whichever is greater, plus (B) all damages recovered for injuries resulting in death, minus any hospital and medical expenses for treatment of such injuries resulting in death, minus any hospital and medical expenses for treatment of such injuries that are not reimbursable by medical insurance and minus the attorney's fees and other costs and expenses of recovering such damages. Any portion of the basis for fees that is determined by property passing to the surviving spouse shall be reduced by fifty per cent. Except as provided in subdivision (3) of this subsection, in no case shall the minimum fee be less than twenty-five dollars.

(2) Except as provided in subdivisions (3) and (4) of this subsection, fees shall be assessed in accordance with the following table:

Basis for Computation

Of Fees Total Fee

0 to \$ 500 \$ 25

\$ 501 to \$ 1,000 \$ 50

\$ 1,000 to \$ 10,000 \$ 50, plus 1% of all

in excess of \$ 1,000

\$ 10,000 to \$ 500,000 \$ 150, plus . 35% of all

in excess of \$ 10,000

\$ 500,000 to \$ 4,754,000 \$ 1,865, plus . 25% of all

in excess of \$ 500,000

\$ 4,754,000 and over \$ 12,500

(3) Notwithstanding the provisions of subdivision (1) of this subsection, if the basis for fees is less than ten thousand dollars and a full estate is opened, the minimum fee shall be one hundred fifty dollars.

(4) In estates where the gross taxable estate is less than six hundred thousand dollars, in which no succession tax return is required to be filed, a probate fee of . 1 per cent shall be charged against non-solely-owned real estate, in addition to any other fees computed under this section.

[D>(d)<D]

[A>(e)<A] A fee of fifty dollars shall be payable to the court by any creditor

applying to the Probate Court pursuant to section 45a-364 for consideration of a claim. If such claim is allowed by the court, the court may order the fiduciary to reimburse the amount of such fee from the estate.

[D>(e)<D]

[A>(f)<A] A fee of fifty dollars, plus the actual expenses of rescheduling the

adjourned hearing that are payable under section 45a-109, shall be payable to the court by any party who requests an adjournment of a scheduled hearing or whose failure to appear necessitates an adjournment, except that the court, for cause shown, may waive either the fifty-dollar fee or the actual expenses of rescheduling the adjourned hearing, or both.

[D>(f)<D]

[A>(g)<A] A fee of two hundred fifty dollars shall be payable to the Probate

Court by a petitioner filing a motion to permit an attorney who has not been admitted as an attorney under the provisions of section 51-80 to appear pro hac vice in a matter in the Probate Court.

[A>(h) A fee of fifty dollars shall be payable to the Probate Court by a petitioner filing a petition to open a safe deposit box under section 45a-277 or 45a-284.<A]

[A>(i) A fee of fifty dollars shall be payable to the Probate Court by a petitioner filing a petition for appointment of an estate examiner under section 45a-317a.<A]

[A>(j) The fee for mediation conducted by a member of the panel established by the Probate Court Administrator is three hundred fifty dollars per day or part thereof.<A]

[D>(g)<D]

[A>(k)<A] Except as provided in subsections

[D>(d), (e) and (f)<D]

[A>(e) to (j),

inclusive,<A] of this section, in no event shall any fee exceed ten thousand dollars for any estate in which proceedings were commenced prior to April 1, 1998, and twelve thousand five hundred dollars for any estate in which proceedings were commenced on or after April 1, 1998 [A>, for decedents dying before January 1, 2015<A] .

[D>(h)<D]

[A>(l)<A] In the case of decedents who die on or after January 1, 2011:

(1) Any fees assessed under this section that are not paid within thirty days of the date of an invoice from the Probate Court shall bear interest at the rate of one-half of one per cent per month or portion thereof until paid;

(2) If a tax return or a copy of a tax return required under subparagraph (D) of subdivision (3) of subsection (b) of section 12-392 is not filed with a [D>probate

court<D]

[A>Probate Court<A] by the due date for such return or copy under subdivision

(1) of subsection (b) of section 12-392 or by the date an extension under subdivision (4) of subsection (b) of section 12-392 expires, the fees that would have been due under this section if such return or copy had been filed by such due date or expiration date shall bear interest at the rate of one-half of one per cent per month or portion thereof from the date that is thirty days after such due date or expiration date,

whichever is later, until paid. If a return or copy is

filed with a

[D>probate court<D]

[A>Probate Court<A] on or before such due date or

expiration date, whichever is later, the fees assessed shall bear interest as provided in subdivision (1) of this subsection;

(3) A

[D>probate court<D]

[A>Probate Court<A] may extend the time for payment of any fees

under this section, including interest, if it appears to the court that requiring payment by such due date or expiration date would cause undue hardship. No additional interest shall accrue during the period of such extension. A [D>probate

court<D]

[A>Probate Court<A] may not waive interest outside of any extension period;

(4) The interest requirements in subdivisions (1) and (2) of this subsection shall not apply if:

(A) The basis for fees for the estate does not exceed forty thousand dollars; or

(B) The basis for fees for the estate does not exceed five hundred thousand dollars and any portion of the property included in the basis for fees passes to a surviving spouse.

Sec. 449. (NEW) (Effective January 1, 2016) (a) The fees set forth in this section apply to each filing made in a Probate Court on or after January 1, 2016, in any matter other than a decedent's estate.

(b) The fee to file each of the following motions, petitions or applications in a Probate Court is two hundred twenty-five dollars:

(1) With respect to a minor child: (A) Appoint a temporary guardian, temporary custodian, guardian, coguardian, permanent guardian or statutory parent, (B) remove a guardian, including the appointment of another guardian, (C) reinstate a parent as guardian, (D) terminate parental rights, including the appointment of a guardian or statutory parent, (E) grant visitation, (F) make findings regarding special immigrant juvenile status, (G) approve an adoption, (H) validate a foreign adoption, (I) resolve a dispute concerning a standby guardian, (J) approve a plan for voluntary services provided by the Department of Children and Families, (K) conduct an in-court review to modify an order, (L) grant emancipation, (M) grant approval to marry, (N) transfer funds to a custodian under sections 45a-557 to 45a-560b, to

sections 45a-557 to 45a-560b, inclusive, of the general statutes, (O) appoint a successor custodian under section 45a-559c of the general statutes, and (P) grant authority to purchase real estate;

(2) Determine paternity;

(3) Determine the age and date of birth of an adopted person born outside the United States;

(4) With respect to adoption records: (A) Appoint a guardian ad litem for a biological relative who cannot be located or appears to be incompetent, (B) appeal the refusal of an agency to release information, (C) release medical information when required for treatment, and (D) grant access to an original birth certificate;

(5) Approve an adult adoption;

(6) With respect to a conservatorship: (A) Appoint a temporary conservator, conservator or special limited conservator, (B) change residence, terminate a tenancy or lease, sell or dispose household furnishings, or place in a long-term care facility, (C) determine competency to vote, (D) approve a support allowance for a spouse, (E) grant authority to elect the spousal share, (F) grant authority to purchase real estate, (G) give instructions regarding administration of a joint asset or liability, (H) distribute gifts, (I) grant authority to consent to involuntary medication, (J) determine life sustaining medical treatment, (K) transfer to or from another state, (L) modify the conservatorship in connection with a periodic review, (M) terminate the conservatorship, and (N) grant a writ of habeas corpus;

(7) Resolve a dispute concerning advance directives or life sustaining medical treatment when the individual does not have a conservator or guardian;

(8) Enjoin an individual from interfering with the provision of protective services to an elderly person;

(9) With respect to an adult with intellectual disability: (A) Appoint a temporary limited guardian, guardian or standby guardian, (B) grant visitation, (C) modify the guardianship in connection with a periodic review, (D) determine life sustaining medical treatment, (E) approve an involuntary placement, (F) review an involuntary placement, and (G) grant a writ of habeas corpus;

(10) With respect to psychiatric disability: (A) Commit an individual for treatment, (B) issue a warrant for examination of an individual at a general hospital, (C) determine whether there is probable cause to continue an involuntary confinement, (D) review an involuntary confinement for possible release, (E) authorize shock therapy, (F) authorize medication for treatment of psychiatric disability, (G) review the status of an individual under the age of sixteen as a voluntary patient, and (H) recommit an individual under the age of sixteen for further treatment;

(11) With respect to drug or alcohol dependency: (A) Commit an individual for treatment, (B) recommit an individual for further treatment, and (C) terminate an involuntary confinement;

(12) With respect to tuberculosis: (A) Commit an individual for treatment, (B) issue a warrant to enforce an examination order, and (C) terminate an involuntary confinement;

(13) Compel an account by the trustee of an inter vivos trust, attorney-in-fact, custodian under sections 45a-557 to 45a-560b, to sections 45a-557 to 45a-560b, inclusive, of the general statutes or treasurer of an ecclesiastical society or cemetery association;

(14) With respect to a testamentary or inter vivos trust: (A) Construe, divide, reform or terminate the trust, (B) appoint a trustee to fill a vacancy in the office of trustee, (C) determine title to property, (D) apply the doctrine of cy pres or approximation, (E) authorize the trustee to disclaim an interest in property, and (F) enforce the provisions of a pet trust;

(15) Authorize a fiduciary to establish a trust;

(16) Appoint a trustee for a missing person;

(17) Change a person's name;

(18) Issue an order to amend the birth certificate of an individual born in another state to reflect a gender change;

(19) Require the Department of Public Health to issue a delayed birth certificate;

(20) Compel the board of a cemetery association to disclose the minutes of the annual meeting;

(21) Issue an order to protect a grave marker;

(22) Restore rights to purchase, possess and transport firearms;

(23) Issue an order permitting sterilization of an individual; and

(24) With respect to any case in a Probate Court other than a decedent's estate: (A) Compel or approve an action by the fiduciary, (B) give advice or instruction to the fiduciary, (C) authorize a fiduciary to compromise a claim, (D) list, sell or mortgage real property, (E) determine title to property, (F) resolve a dispute between cofiduciaries or among fiduciaries, (G) remove a fiduciary, (H) appoint a successor fiduciary or fill a vacancy in the office of fiduciary, (I) approve fiduciary or attorney's fees, (J) apply the doctrine of cy pres or approximation, (K) reconsider, modify or revoke an order, and (L) decide an action on a probate bond.

(c) The fee to file a petition for custody of the remains of a deceased person in a Probate Court is one hundred fifty dollars, except that the court shall waive the fee if the state is obligated to pay funeral and burial expenses under section 17b-84 of the general statutes.

(d) The fee for a fiduciary to request the release of funds from a restricted account in a Probate Court is one hundred fifty dollars, except that the court shall waive the fee if the court approves the request without notice and hearing in accordance with the rules of procedure adopted by the Supreme Court under section 45a-78 of the general statutes.

(e) The fee for mediation conducted by a member of the panel established by the Probate Court Administrator is three hundred fifty dollars per day or part thereof.

(f) The fee to request a continuance in a Probate Court is fifty dollars, plus the actual expenses of rescheduling the hearing that are payable under section 45a-109 of the general statutes, as amended by this act, except that the court, for cause shown, may waive either the fifty-dollar fee or the actual expenses of rescheduling the hearing, or both. The fee shall be payable by the party who requests the continuance of a scheduled hearing or whose failure to appear necessitates the continuance.

(g) The fee to file a motion to permit an attorney who has not been admitted as an attorney under the provisions of section 51-80 of the general statutes to appear pro hac vice in a matter in the Probate Court is two hundred fifty dollars.

(h) Except as provided in subsection (d) of section 45a-111 of the general statutes, as amended by this act, fees imposed under this section shall be paid at the time of filing.

(i) If a statute or rule of procedure approved by the Supreme Court under section 45a-78 of the general statutes specifies filings that may be combined into a single motion, petition or application, the fee under this section for the combined filing is the amount equal to the largest of the individual filing fees applicable to the underlying motions, petitions or applications.

(j) No fee shall be charged under this section if exempted or waived under section 45a-111 of the general statutes, as amended by this act, or any other provision of the general statutes.

Sec. 450. (NEW) (Effective January 1, 2016) (a) On or after January 1, 2016, the basic fee for a fiduciary to file an account in the Probate Court in any matter other than a decedent's estate is the greater of:

(1) The product of the number of one year periods or part thereof covered by the account times 0.05% of the greatest of: (A) The fiduciary acquisition value of assets on hand at the beginning of the accounting period; (B) the fiduciary acquisition value of assets on hand at the end of the accounting period; (C) the fair market value of assets on hand at the beginning of the accounting period; or (D) the fair market value of assets on hand at the end of the accounting period;

(2) 0.05% of the total of all receipts during the accounting period; or

(3) Notwithstanding the provisions of subdivisions (1) and (2) of this subsection, the minimum fee under this subsection shall be fifty dollars regardless of the period of time covered by the account and the maximum fee shall not exceed five hundred dollars per year or part thereof covered by the account.

(b) The fees under this section apply to each account that covers a unique accounting period. No additional fee shall be charged for filing an amended or substitute account covering the same period as the original filing.

(c) For the purposes of this section, "fiduciary acquisition value" has the meaning set forth in the rules of procedure approved by the Supreme Court under section 45a-78 of the general statutes.

(d) The fee under subsection (a) of this section shall be due when the fiduciary files an account. The court shall issue an invoice for the fee and any expenses under section 45a-109 of the general statutes, as amended by this act, on receipt of the account and as necessary thereafter. The balance of any such fee that is not paid within thirty days of the date of an invoice from the court shall bear interest at the rate of one-half of one per cent per month or portion thereof until paid. The court may extend the time for payment of any fee under this subsection if it appears to the court that requiring payment by the due date would cause undue hardship. No additional interest shall accrue during the period of such extension. The court may not waive interest outside of any extension period.

(e) No fee shall be charged under this section if exempted or waived under section 45a-111 of the general statutes or any other provision of the general statutes.

Sec. 451. Section 45a-109 of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

In addition to the basic fees specified in ~~D~~ sections 45a-106 to 45a-108, to sections 45a-106 to 45a-108, inclusive~~D~~ A section 45a-107, as amended by this act, and sections 449 and 450 of this act~~A~~ , the following expenses shall be payable to the Probate Courts: (1) For recording eachor fraction thereof after the first fives of any one document, three dollars; (2) for each notice in excess of two with respect to any hearing or continued hearing, two dollars; (3) for any expenses incurred by the Probate Court for newspaper publication of notices, certified or registered mailing of notices, or for service of process or notice, the actual amount of the expenses so incurred; (4) for providing copies of any document from a file in the court of any matter within the jurisdiction of the court, five dollars for a copy of any such document up to fives in length and one dollar per copy for each additionalor fractional part thereof as the case may be, except that there shall be furnished without charge to the fiduciary or, if none, to the petitioner with respect to any probate matter one uncertified copy of each decree, certificate or other court order setting forth the action of the court on any proceeding in such matter; (5) for certifying copies of any document from a file in the court of any matter before the court, five dollars per each copy certified for the first twos of a document, and two dollars for each copy certified for eachafter the secondof such document, except that no charge shall be made for any copy certified or otherwise that the court is required by statute to make; (6) for retrieval of a file not located on the premises of the court, the actual expense or ten dollars, whichever is greater; (7) for copying probate records through the use of a hand-held scanner, as defined in section 1-212, twenty dollars per day;~~D~~and~~D~~ (8) for providing a digital copy of an audio recording of a hearing, twenty-five dollars A; and (9) for filing any document other than a will under any provision of the general statutes if the court is not required to take action, twenty-five dollars, in addition to any applicable recording fee~~A~~ .

Sec. 452. Section 45a-110 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a)

[D>The<D]

[A>With respect to a decedent's estate, the<A] fees and expenses
[D>provided for

in connection with proceedings under section 45a-107 with respect to a decedent's

estate<D]

[A>under sections 45a-107, as amended by this act, and 45a-109, as
amended by this act,<A] shall be paid for by the executor or administrator

[A>,<A]

[D>or,<D]

[A> except
that<A] if there is no such fiduciary,

[D>by the transferee<D]

[A>the fees and expenses

shall be paid by the person<A] filing the succession tax return under section 12-359

or

[D>a<D]

[A>the estate<A] tax return under section 12-392.

[D>(b) The fees and expenses provided for in connection with proceedings under section 45a-108 with
respect to an accounting shall be paid by the trustee, guardian, conservator or other fiduciary.<D]

[D>(c) In the case of any proceeding under sections 45a-106 to 45a-112, to sections 45a-106 to
45a-112, inclusive, commenced on motion of the court, such fees and expenses shall be paid by the
party against whom such fees and expenses are assessed by the court.<D]

[D>(d) In all other cases, the petitioner shall pay the fees and expenses provided for by sections
45a-106 to 45a-112, to sections 45a-106 to 45a-112, inclusive, unless otherwise provided by law.<D]

[A>(b) In the case of any proceeding commenced on motion of the court, the court may assess the fees
and expenses provided for under section 449 of this act and sections 45a-107, as amended by this act,
and 45a-109, as amended by this act, against one or more parties in such proportion as the court
determines equitable.<A]

[A>(c) Except as provided in subsection (a) of this section, the person filing the motion, petition,
application or account shall pay the fees and expenses provided for by sections 449 and 450 of this act
and section 45a-109, as amended by this act, unless otherwise provided by law. The court may order

the fiduciary of an estate to reimburse a party for any such fees and expenses if the court determines that reimbursement is equitable.<A]

Sec. 453. Subsection (f) of section 19a-131b of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(f) An individual subject to a quarantine or isolation order under this section

may appeal such order to the

[D>probate court<D]

[A>Probate Court<A] for the district in

which such person is quarantined or isolated and, if such individual or such individual's representative asks the court, in writing, including, but not limited to, by means of first class mail, facsimile machine or the Internet, for a hearing, notwithstanding the form of such request, the court shall hold a hearing not later than seventy-two hours after receipt of such request, excluding Saturdays, Sundays and legal holidays. The court may extend the time for a hearing based on extraordinary circumstances. [D>Court fees for such hearing shall be paid from funds appropriated to the Judicial Department, but if funds have not been included in the budget of the Judicial Department for such purpose, such fees

shall be waived by the court.<D]

[A>No fee shall be charged to file an appeal in the

Probate Court under this section.<A] If such individual cannot appear personally before the court, a hearing shall be conducted only if his or her representative is present. The commissioner shall be a party to the proceedings. Such hearing may be held via any means that allows all parties to fully participate in the event an individual may infect or contaminate others. A request for a hearing shall not stay the order of quarantine or isolation issued by the commissioner under this section. The hearing shall concern, but need not be limited to, a determination of whether (1) the individual ordered confined is infected with a communicable disease or is contaminated or has a reasonable risk of having a communicable disease or having been contaminated or passing a communicable disease or contamination to other individuals, (2) the individual poses a reasonable threat to the public health, and (3) the quarantine or isolation of the individual is necessary and the least restrictive alternative to prevent the spread of a communicable disease or contamination to others in order to protect and preserve the public health.

Sec. 454. (NEW) (Effective July 1, 2015) (a) The fees imposed under subsections (b), (c) and (d) of section 45a-107 of the general statutes, as amended by this act, shall be a lien in favor of the state of Connecticut upon any real property located in this state that is included in the basis for fees of the estate of a deceased person, from the due date until paid, with interest that may accrue in addition thereto, except that such lien shall not be valid as against any lienor, mortgagee, judgment creditor or bona fide

purchaser until notice of such lien is filed or recorded in the town clerk's office or place where mortgages, liens and conveyances of such property are required by statute to be filed or recorded.

(b) The Probate Court for the district in which the decedent resided on the date of his or her death or, if the decedent died a nonresident of this state, for the district within which real estate or tangible personal property of the decedent is situated, shall issue a certificate of release of lien for any such real property not later than ten days after receipt of payment in full of such fee and interest thereon. The court may issue a certificate of release of lien for any such real property, or portion thereof, if the court finds that the fee and interest thereon has not been fully paid but that payment is adequately assured. A certificate of release of lien may be recorded in the office of the town clerk within which such real property is situated, and such certificate shall be conclusive proof that the fees have been paid and such lien discharged.

Sec. 455. Section 45a-111 of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(a) No fee or expense shall be charged for any proceedings in the settlement of the estate of any member of the armed forces who died while in service in time of war as defined in section 27-103.

(b) No fees or expenses shall be charged under sections

[D>45a-106<D]

[A>45a-107<A] to

45a-112, inclusive, [A>as amended by this act,<A] or under section 45a-727 for adoption proceedings involving special needs children.

(c) If a petitioner or applicant to a

[D>probate court<D]

[A>Probate Court<A] claims that

unless his or her obligation to pay the fees and the necessary expenses of the action, including the expense of service of process, is waived, such petitioner or applicant will be deprived by reason of his or her indigency of his or her right to bring a petition or application to such court or that he or she is otherwise unable to pay the fees and necessary expenses of the action, he or she may file

with the clerk of such

[D>probate court<D]

[A>Probate Court<A] an application for waiver of

payment of such fees and necessary expenses. Such application shall be signed under penalty of false statement, shall state the applicant's financial circumstances, and shall identify the fees and expenses sought to be waived and the approximate amount of each. If the court finds that the applicant is unable to pay such fees and expenses, it shall order such fees and expenses waived. If such expenses include

the expense of service of process, the court, in its order, shall indicate the method of service authorized and the expense of such service shall be paid from funds appropriated to the Judicial Department, except that, if funds have not been included in the budget of the Judicial Department for such expenses, such expenses shall be paid from the Probate Court Administration Fund.

(d) The court may, in its discretion, postpone payment of any entry fee or other

fee or expense due under sections

[D>45a-106<D]

[A>45a-107<A] to 45a-112, inclusive,

[A> as

amended by this act,<A] and enter any matter if it appears to the court that to require such entry fee or other fee or expense to accompany submission of the matter would cause undue delay or hardship, but in such case the applicant, petitioner or moving party shall be liable for the entry fee and all other fees and expenses upon receipt of an invoice therefor from the court.

(e) Any fee or expense charged under the provisions of sections

[D>45a-106<D]

[A>45a-107<A]

to 45a-112, inclusive, [A>as amended by this act,<A] shall not be subject to the tax imposed under chapter 219.

2015 Connecticut Senate Bill No. 1502, Connecticut
General Assembly - June Special Session, 2015

Sec. 456. Section 45a-112 of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

When the state or any of its agencies is an applicant, petitioner or moving party

commencing a matter in a

[D>probate court<D]

[A>Probate Court<A] , or is otherwise liable for the fees or expenses under sections

[D>45a-106<D]

[A>45a-107<A] to 45a-112, inclusive,

[A>as amended by this act,<A] the court shall accept such matter without the entry fee accompanying the filing thereof, and shall bill the entry fee or other fee or expense to the appropriate agency for subsequent payment, which payment shall be due and payable upon receipt of such bill.

Sec. 457. Section 45a-113a of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

Whenever a

[D>probate court<D]

[A>Probate Court<A] determines that a refund is due an

applicant, petitioner, moving party or other person for any overpayment of costs, fees, charges or expenses incurred under the provisions of sections [D>45a-106<D] [A>45a-107<A] to 45a-112, inclusive, [A>as amended by this act,<A] the Probate Court Administrator shall, upon receipt of certification of such overpayment by the

[D>probate court<D]

[A>Probate Court<A] that issued the invoice for such costs, fees,

charges or expenses, cause a refund of such overpayment to be issued from the Probate Court Administration Fund.

Sec. 458. Section 45a-684 of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

All fees and expenses incurred under sections 45a-669 to 45a-684, to sections 45a-669 to 45a-684, inclusive, except as otherwise provided, shall be paid pursuant to sections [D>45a-106<D] [A>45a-107, as amended by this act,<A] and 45a-111 [A>, as amended by this act<A] .

Sec. 459. Subsection (d) of section 31-294d of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

(d) (1) The pecuniary liability of the employer for the medical and surgical service required by this section shall be limited to the charges that prevail in the same community or similar communities for similar treatment of injured persons of a like standard of living when the similar treatment is paid for by the injured

person.

[D>Prior<D]

[A>Notwithstanding the provisions of chapter 368z, prior<A] to the date

the liability of the employer is established pursuant to subdivision (2) of this subsection, the liability of the employer for hospital service shall be[A>determined exclusively by the provisions of this subdivision and shall remain<A] the amount it actually costs the hospital to render the service, as determined by the commissioner, except in the case of state humane institutions, the liability of the employer shall be the

per capita cost as determined by the Comptroller under the provisions of section 17b-223. All disputes concerning liability for hospital services in workers' compensation cases shall be [A>filed not later than one year from the date the initial payment for services was remitted, regardless of the date such services were provided, unless any applicable law, rule or regulation establishes a shorter timeframe, and shall be<A] settled by the commissioner in accordance with this chapter.

(2) Commencing ninety days after the formulas established by the chairman of the Workers' Compensation Commission have been published pursuant to subsection (e) of this section, unless the employer and hospital or ambulatory surgical center have otherwise negotiated to determine the liability of the employer for hospital or ambulatory surgical center services required by this section, the liability of the employer for hospital or ambulatory surgical center services shall be: (A) If such services are covered by Medicare, limited to the reimbursements listed in such formulas published pursuant to subsection (e) of this section, or (B) if such services are not covered by Medicare, determined by the chairman, in consultation with employers and their insurance carriers, self-insured employers, hospitals, ambulatory surgical centers, third-party reimbursement organizations and other entities as deemed necessary by the Workers' Compensation Commission.

Sec. 460. Subsections (a) and (b) of section 51-47 of the general statutes are repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) The judges of the Superior Court, judges of the Appellate Court and judges of the Supreme Court shall receive annually salaries as follows:

[D>(1) On and after July 1, 2013, (A) the Chief Justice of the Supreme Court, one hundred eighty-four thousand nine hundred fifty-four dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred seventy-seven thousand seven hundred twenty-eight dollars; (C) each associate judge of the Supreme Court, one hundred seventy-one thousand one hundred thirty-four dollars; (D) the Chief Judge of the Appellate Court, one hundred sixty-nine thousand two hundred forty dollars; (E) each judge of the Appellate Court, one hundred sixty thousand seven hundred twenty-seven dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred fifty-seven thousand seven hundred ninety-five dollars; (G) each judge of the Superior Court, one hundred fifty-four thousand five hundred fifty-nine dollars.<D]

[D>(2)<D]

[A>(1)<A] On and after July 1, 2014, (A) the Chief Justice of the Supreme Court,

one hundred ninety-four thousand seven hundred fifty-seven dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred eighty-seven thousand one hundred forty-eight dollars; (C) each associate judge of the Supreme Court, one hundred eighty thousand two hundred four dollars; (D) the Chief Judge of the Appellate Court, one hundred

seventy-eight thousand two hundred ten dollars; (E) each judge of the Appellate Court, one hundred sixty-nine thousand two hundred forty-five dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred sixty-six thousand one hundred fifty-eight dollars; (G) each judge of the Superior Court, one hundred sixty-two thousand seven hundred fifty-one dollars.

[A>(2) On and after July 1, 2015, (A) the Chief Justice of the Supreme Court, two hundred thousand five hundred ninety-nine dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred ninety-two thousand seven hundred sixty-three dollars; (C) each associate judge of the Supreme Court, one hundred eighty-five thousand six hundred ten dollars; (D) the Chief Judge of the Appellate Court, one hundred eighty-three thousand five hundred fifty-six dollars; (E) each judge of the Appellate Court, one hundred seventy-four thousand three hundred twenty-three dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred seventy-one thousand one hundred forty-three dollars; (G) each judge of the Superior Court, one hundred sixty seven thousand six hundred thirty-four dollars.<A]

[A>(3) On and after July 1, 2016, (A) the Chief Justice of the Supreme Court, two hundred six thousand six hundred seventeen dollars; (B) the Chief Court Administrator if a judge of the Supreme Court, Appellate Court or Superior Court, one hundred ninety-eight thousand five hundred forty-five dollars; (C) each associate judge of the Supreme Court, one hundred ninety-one thousand one hundred seventy-eight dollars; (D) the Chief Judge of the Appellate Court, one hundred eighty-nine thousand sixty-three dollars; (E) each judge of the Appellate Court, one hundred seventy-nine thousand five hundred fifty-two dollars; (F) the Deputy Chief Court Administrator if a judge of the Superior Court, one hundred seventy-six thousand two hundred seventy-seven dollars; (G) each judge of the Superior Court, one hundred seventy-two thousand six hundred sixty-three dollars.<A]

[D>(b) (1) In addition to the salary such judge is entitled to receive under subsection (a) of this section, on and after July 1, 2013, a judge designated as the administrative judge of the appellate system shall receive one thousand fifty-three dollars in annual salary, each Superior Court judge designated as the administrative judge of a judicial district shall receive one thousand fifty-three dollars in annual salary and each Superior Court judge designated as the chief administrative judge for facilities, administrative appeals, judicial marshal service or judge trial referees or for the Family, Juvenile, Criminal or Civil Division of the Superior Court shall receive one thousand fifty-three dollars in annual salary.<D]

[D>(2)<D]

[A>(b) (1)<A] In addition to the salary such judge is entitled to receive under

subsection (a) of this section, on and after July 1, 2014, a judge designated as the administrative judge of the appellate system shall receive one thousand one hundred nine dollars in annual salary, each Superior Court judge designated as the administrative judge of a judicial district shall receive one

thousand one hundred nine dollars in annual salary and each Superior Court judge designated as the chief administrative judge for facilities, administrative appeals, judicial marshal service or judge trial referees or for the Family, Juvenile, Criminal or Civil Division of the Superior Court shall receive one thousand one hundred nine dollars in annual salary.

[A>(2) In addition to the salary such judge is entitled to receive under subsection (a) of this section, on and after July 1, 2015, a judge designated as the administrative judge of the appellate system shall receive one thousand one hundred forty-two dollars in additional compensation, each Superior Court judge designated as the administrative judge of a judicial district shall receive one thousand one hundred forty-two dollars in additional compensation and each Superior Court judge designated as the chief administrative judge for facilities, administrative appeals, judicial marshal service or judge trial referees or for the Family, Juvenile, Criminal or Civil Division of the Superior Court shall receive one thousand one hundred forty-two dollars in additional compensation.<A]

[A>(3) In addition to the salary such judge is entitled to receive under subsection (a) of this section, on and after July 1, 2016, a judge designated as the administrative judge of the appellate system shall receive one thousand one hundred seventy-seven dollars in additional compensation, each Superior Court judge designated as the administrative judge of a judicial district shall one thousand one hundred seventy-seven dollars in additional compensation and each Superior Court judge designated as the chief administrative judge for facilities, administrative appeals, judicial marshal service or judge trial referees or for the Family, Juvenile, Criminal or Civil Division of the Superior Court shall receive one thousand one hundred seventy-seven dollars in additional compensation.<A]

Sec. 461. Subsection (h) of section 46b-231 of the general statutes, as amended by section 89 of public act 15-71, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

[D>(h) (1) On and after July 1, 2013, the Chief Family Support Magistrate shall receive a salary of one hundred thirty-four thousand five hundred fifty-four dollars, and other family support magistrates shall receive an annual salary of one hundred twenty-eight thousand sixty-one dollars.<D]

[D>(2)<D]

[A>(h) (1)<A] On and after July 1, 2014, the Chief Family Support Magistrate

shall receive a salary of one hundred forty-one thousand six hundred eighty-six dollars, and other family support magistrates shall receive an annual salary of one hundred thirty-four thousand eight hundred forty-eight dollars.

[A>(2) On and after July 1, 2015, the Chief Family Support Magistrate shall receive a salary of one hundred forty-five thousand nine hundred thirty-six dollars, and other family support magistrates shall receive an annual salary of one hundred thirty-eight thousand eight hundred ninety-three dollars.<A]

[A>(3) On and after July 1, 2016, the Chief Family Support Magistrate shall receive a salary of one hundred fifty thousand three hundred fourteen dollars, and other family support magistrates shall receive an annual salary of one hundred forty-three thousand sixty dollars.<A]

Sec. 462. Subsection (b) of section 46b-236 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

[D>(b) (1) On and after July 1, 2013, each family support referee shall receive, for acting as a family support referee, in addition to the retirement salary, the sum of two hundred dollars and expenses, including mileage, for each day a family support referee is so engaged.<D]

[D>(2)<D]

[A>(b) (1)<A] On and after July 1, 2014, each family support referee shall

receive, for acting as a family support referee, in addition to the retirement salary, the sum of two hundred eleven dollars and expenses, including mileage, for each day a family support referee is so engaged.

[A>(2) On and after July 1, 2015, each family support referee shall receive, for acting as a family support referee, in addition to the retirement salary, the sum of two hundred seventeen dollars and expenses, including mileage, for each day a family support referee is so engaged.<A]

[A>(3) On and after July 1, 2016, each family support referee shall receive, for acting as a family support referee, in addition to the retirement salary, the sum of two hundred twenty-three dollars and expenses, including mileage, for each day a family support referee is so engaged.<A]

Sec. 463. Subsection (f) of section 52-434 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(f) Each judge trial referee shall receive, for acting as a referee or as a single auditor or committee of any court or for performing duties assigned by the Chief Court Administrator with the approval of the Chief Justice, for each day the judge trial referee is so engaged, in addition to the retirement salary: (1) (A) On and [D>after July 1, 2013, the sum of two hundred thirty-two dollars, and (B) on and<D] after July 1, 2014, the sum of two hundred forty-four dollars; [A>(B) on and after July 1, 2015, the sum of two hundred fifty-one dollars, and (C) on and after July 1, 2016, the sum of two hundred fifty-nine dollars;<A] and (2) expenses, including mileage. Such amounts shall be taxed by the court making the reference in the same manner as other court expenses.

Sec. 464. (Effective July 1, 2015) Up to \$ 375,250 appropriated in section 1 of public act 13-247, as amended by public act 14-47, to Legislative Management, for Connecticut Academy of Science and

Engineering, for the fiscal years ending June 30, 2014, and June 30, 2015, for the purpose of conducting a childhood discontinuity study shall not lapse on June 30, 2015, and such funds shall continue to be available for such purpose during the fiscal years ending June 30, 2016, and June 30, 2017.

Sec. 465. Section 5-198 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

The offices and positions filled by the following-described incumbents shall be exempt from the classified service:

- (1) All officers and employees of the Judicial Department;
- (2) All officers and employees of the Legislative Department;
- (3) All officers elected by popular vote;
- (4) All agency heads, members of boards and commissions and other officers appointed by the Governor;
- (5) All persons designated by name in any special act to hold any state office;
- (6) All officers, noncommissioned officers and enlisted men in the military or naval service of the state and under military or naval discipline and control;
- (7) (A) All correctional wardens, as provided in section 18-82, and (B) all superintendents of state institutions, the State Librarian, the president of The University of Connecticut and any other commissioner or administrative head of a state department or institution who is appointed by a board or commission responsible by statute for the administration of such department or institution;
- (8) The State Historian appointed by the State Library Board;
- (9) Deputies to the administrative head of each department or institution designated by statute to act for and perform all of the duties of such administrative head during such administrative head's absence or incapacity;
- (10) Executive assistants to each state elective officer and each department head, as defined in section 4-5, provided (A) each position of executive assistant shall have been created in accordance with section 5-214, and (B) in no event shall the Commissioner of Administrative Services or the Secretary of the Office of Policy and Management approve more than four executive assistants for a department head;
- (11) One personal secretary to the administrative head and to each undersecretary or deputy to such head of each department or institution;
- (12) All members of the professional and technical staffs of the constituent units of the state system of

higher education, as defined in section 10a-1, of all other state institutions of learning, of the Board of Regents for Higher Education, and of the agricultural experiment station at New Haven, professional and managerial employees of the Department of Education [A>and the Office of Early Childhood<A] and teachers certified by the State Board of Education and employed in teaching positions at state institutions;

(13) Physicians, dentists, student nurses in institutions and other professional specialists who are employed on a part-time basis;

(14) Persons employed to make or conduct a special inquiry, investigation, examination or installation;

(15) Students in educational institutions who are employed on a part-time basis;

(16) Forest fire wardens provided for by section 23-36;

(17) Patients or inmates of state institutions who receive compensation for services rendered therein;

(18) Employees of the Governor including employees working at the executive office, official executive residence at 990 Prospect Avenue, Hartford and the Washington D. C. office;

(19) Persons filling positions expressly exempted by statute from the classified service;

(20) Librarians employed by the State Board of Education or any constituent unit of the state system of higher education;

(21) All officers and employees of the Division of Criminal Justice;

(22) Professional employees in the education professions bargaining unit of the Department of Rehabilitation Services;

(23) Lieutenant colonels in the Division of State Police within the Department of Emergency Services and Public Protection;

(24) The Deputy State Fire Marshal within the Department of Administrative Services;

(25) The chief administrative officer of the Workers' Compensation Commission;

(26) Employees in the education professions bargaining unit;

(27) Disability policy specialists employed by the Council on Developmental Disabilities; and

(28) The director for digital media and motion picture activities in the Department of Economic and Community Development.

Sec. 466. Section 16-2 of the general statutes is amended by adding subsection (n) as follows (Effective from passage):

(NEW) (n) Two or more utility commissioners serving on a panel established pursuant to subsection (c) of this section may confer or communicate regarding the matter before such panel. Any such conference or communication that does not occur before the public at a hearing or proceeding shall not constitute a meeting as defined in section 1-200.

Sec. 467. Section 16a-4d of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) If, in the exercise of the Commissioner of Energy and Environmental Protection's powers pursuant to this title, the commissioner finds that the use of a certain technology, product or process would promote energy conservation, energy efficiency or renewable energy technology, the commissioner may direct a state agency to test such technology, product or process by using it in the operations of such agency on a trial basis. The purpose of such test program shall be to validate the effectiveness of such technology, product or process in reducing energy usage and costs or reducing dependence on fossil fuels or green house gas emissions.

[A>(b) (1) The Commissioner of Energy and Environmental Protection shall administer pilot test programs at state agencies for the use of technologies, products or processes that promote energy conservation, energy efficiency or renewable energy. The purpose of such test programs shall be to validate the effectiveness of such technologies, products or processes in reducing energy usage and costs or reducing dependence on fossil fuels or greenhouse gas emissions.<A]

[A>(2) Applicants interested in participating in such program shall submit an application to the commissioner on forms prescribed by the commissioner. The commissioner shall review such application for completeness within thirty days of receiving such application. The commissioner shall make a determination on whether the application meets the requirements of this section within ninety days of receiving such application.<A]

[A>(c) (1) The Commissioner of Energy and Environmental Protection may direct a state agency to test any such technology, product or process identified by the commissioner. Alternatively, the commissioner of a state agency may file a request with the Commissioner of Energy and Environmental Protection for approval to test any such technology, product or process identified by such state agency commissioner. Not later than thirty days after receipt of any such request, the Commissioner of Energy and Environmental Protection shall evaluate the technology, product or process and approve or disapprove the state agency commissioner's request. A state agency that is directed to test, or receives approval to test, any such technology, product or process shall use it in the operations of such agency on a trial basis as prescribed by the commissioner.<A]

[A>(2)<A] No agency shall undertake such testing of any technology, product or process unless the business manufacturing or marketing the technology, product or process

demonstrates that

[D>(1)<D]

[A>(A)<A] the use of such technology, product or process by the state agency will not adversely affect safety,

[D>(2)<D]

[A>(B)<A] a certified independent

third party or accredited laboratory has found that the technology, product or

process reduces energy consumption and cost, and

[D>(3)<D]

[A>(C)<A] the technology,

product or process is presently available for commercial sale and distribution or has potential for commercialization not later than two years following the completion of any test program by a state agency pursuant to this section.

[A>(3) If the commissioner of the state agency testing such technology, product or process determines that the test program sufficiently demonstrates that the technology, product or process reduces energy usage and costs or reduces dependence on fossil fuels or greenhouse gas emissions, such testing agency may request that the Commissioner of Administrative Services (A) procure such technology for use by any or all state agencies, and (B) make such procurement pursuant to subsection (b) of section 4a-58.<A]

[D>(b)<D]

[A>(d)<A] If the commissioner finds that using such technology, product or

process would be feasible in the operations of a state agency and would not have any detrimental effect on such operations, the commissioner, notwithstanding the requirements of chapter 58, may direct a state agency to accept delivery of such technology, product or process and to undertake such a test program. Any costs associated with the acquisition and use of such technology, product or process by the testing agency for the test period shall be borne by the manufacturer, the marketer or any investor or participant in such business. The acquisition of any technology, product or process for purposes of the test program established pursuant to this section shall not be deemed to be a purchase under the provisions of state procurement law. The manufacturer, the marketer or any investor or participant in such business shall maintain records related to such test program, as required by the commissioner. All proprietary information derived from such test program shall be exempt from the provisions of subsection (a) of section 1-210.

[D>(c) If the commissioner determines that the test program sufficiently demonstrates that the technology, product or process reduces energy usage and costs or reduces dependence on fossil fuels or green house gas emissions, the testing agency may request that the Commissioner of Administrative

Services (1) procure such technology for use by any or all state agencies, and (2) make such procurement pursuant to subsection (b) of section 4a-58.<D]

[A>(e) The commissioner of a state agency may identify a technology, product or process that is procured, installed and tested by a municipality that meets the requirements of subsection (b) of this section. Such commissioner may file a request with the Commissioner of Energy and Environmental Protection. Not later than thirty days after receipt of such request, the commissioner shall evaluate such technology, product or process pursuant to subsection (b) of this section.<A]

Sec. 468. (NEW) (Effective July 1, 2015) Any public service company, as defined in section 16-1 of the general statutes, shall be permitted to defer for recovery in its next general rate case any increase in tax expense, pursuant to public act 15-244, which is not currently authorized in such company's rates.

Sec. 469. Section 38a-492b of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(a) [A>(1)<A] Each individual health insurance policy delivered, issued for delivery, renewed, amended or continued in this state, that provides coverage for [D>prescribed<D] [A>prescription<A] drugs approved by the federal Food and Drug Administration for treatment of certain types of cancer or disabling or life-threatening chronic diseases, shall not exclude coverage of any such drug on the basis that such drug has been prescribed for the treatment of a type of cancer or a disabling or life-threatening chronic disease for which the drug has not been approved by the federal Food and Drug Administration, provided the drug is recognized for treatment of the specific type of cancer or a disabling or life-threatening chronic disease for which the drug has been prescribed in one of the following established reference compendia [A>or in peer-reviewed medical literature generally

recognized by the relevant medical community<A] :

[D>(1)<D]

[A>(A)<A] The U. S. Pharmacopoeia Drug Information Guide for the Health Care Professional

[A>;<A]

[D>(USP DI); (2)<D]

[A> (B)<A]

The American Medical Association's Drug Evaluations

[A>;<A]

[D>(AMA DE); or (3)<D]

[A>or (C)<A]

The American Society of

[D>Hospital<D]

[A>Health-System<A] Pharmacists' American Hospital Formulary Service Drug Information

[A>.<A]

[D>(AHFS-DI).<D]

[A>As used in this section,

"peer-reviewed medical literature" means a published study in a journal or other publication in which original manuscripts have been critically reviewed for scientific accuracy, validity and reliability by unbiased international experts, and that has been determined by the International Committee of Medical Journal Editors to have met its Uniform Requirements for Manuscripts Submitted to Biomedical Journals. "Peer-reviewed medical literature" does not include publications or supplements to publications that are sponsored to a significant extent by a pharmaceutical manufacturing company or any health insurer, health care center, hospital service corporation, medical service corporation or fraternal benefit society that delivers, issues for delivery, renews, amends or continues a health insurance policy in this state.<A]

[A>(2) The coverage required under subdivision (1) of this subsection shall include medically necessary services associated with the administration of such drug.<A]

[A>(3) A drug use covered under subdivision (1) of this subsection shall not be denied based on medical necessity except for reasons that are unrelated to the legal status of the drug use.<A]

(b) Nothing in subsection (a) of this section shall be construed to require coverage for [A>(1)<A] any [D>experimental or investigational drugs or<D] [A>drug used in a research trial sponsored by a drug manufacturer or a government entity, (2) any drug or service furnished in a research trial if the research trial sponsor furnishes the drug or service to an insured participating in such trial without charge, or (3)<A] any drug [D>which<D] [A>that<A] the federal Food and Drug Administration has determined to be contraindicated for treatment of the specific type of cancer or disabling or life-threatening chronic disease for which the drug has been prescribed.

(c) Except as specified, nothing in this section shall be construed to create, impair, limit or modify authority to provide reimbursement for drugs used in the treatment of any other disease or condition.

Sec. 470. Section 38a-518b of the general statutes is repealed and the following is substituted in lieu thereof (Effective January 1, 2016):

(a) [A>(1)<A] Each group health insurance policy delivered, issued for delivery, renewed, amended or continued in this state, that provides coverage for [D>prescribed<D] [A>prescription<A] drugs approved by the federal Food and Drug Administration for treatment of certain types of cancer or disabling or life-threatening chronic diseases, shall not exclude coverage of any such drug on the basis that such drug has been prescribed for the treatment of a type of cancer or a disabling or life-threatening chronic disease for which the drug has not been approved by the federal Food and Drug Administration, provided the drug is recognized for treatment of the specific type of cancer or a disabling or life-threatening chronic disease for which the drug has been prescribed in one of the following established reference compendia [A>or in peer-reviewed medical literature generally

recognized by the relevant medical community<A> :

[D>(1)<D]

[A>(A)<A] The U. S. Pharmacopoeia Drug Information Guide for the Health Care Professional

[A>;<A]

[D>(USP DI); (2)<D]

[A> (B)<A]

The American Medical Association's Drug Evaluations

[A>;<A]

[D>(AMA DE); or (3)<D]

[A>or (C)<A]

The American Society of

[D>Hospital<D]

[A>Health-System<A] Pharmacists' American Hospital Formulary Service Drug Information

[A>.<A]

[D>(AHFS-DI).<D]

[A>As used in this section,

"peer-reviewed medical literature" means a published study in a journal or other publication in which original manuscripts have been critically reviewed for scientific accuracy, validity and reliability by unbiased international experts, and that has been determined by the International Committee of Medical Journal Editors to have met its Uniform Requirements for Manuscripts Submitted to Biomedical Journals. "Peer-reviewed medical literature" does not include publications or supplements to publications that are sponsored to a significant extent by a pharmaceutical manufacturing company or any health insurer, health care center, hospital service corporation, medical service corporation or fraternal benefit society that delivers, issues for delivery, renews, amends or continues a health insurance policy in this state.<A]

[A>(2) The coverage required under subdivision (1) of this subsection shall include medically necessary services associated with the administration of such drug.<A]

[A>(3) A drug use covered under subdivision (1) of this subsection shall not be denied based on medical necessity except for reasons that are unrelated to the legal status of the drug use.<A]

(b) Nothing in subsection (a) of this section shall be construed to require coverage for [A>(1)<A] any [D>experimental or investigational drugs or<D] [A>drug used in a research trial sponsored by a drug manufacturer or a government entity, (2) any drug or service furnished in a research trial if the research trial sponsor furnishes the drug or service to an insured participating in such trial without charge, or (3)<A] any drug [D>which<D] [A>that<A] the federal Food and Drug Administration has determined to be contraindicated for treatment of the specific type of cancer or a disabling or life-threatening chronic disease for which the drug has been prescribed.

(c) Except as specified, nothing in this section shall be construed to create, impair, limit or modify authority to provide reimbursement for drugs used in the treatment of any other disease or condition.

Sec. 471. (Effective from passage) The Legislative Commissioners' Office shall, in codifying the provisions of this act, make such technical, grammatical and punctuation changes as are necessary to carry out the purposes of this act, including, but not limited to, correcting inaccurate internal references.

Sec. 472. (Effective from passage) For the purpose of final approval of a municipal land use application, including, but not limited to, the open space percentage allocation required for cluster developments, as defined in section 8-18 of the general statutes, where such municipality has a population of not less than eighty-two thousand and not more than ninety thousand residents and a total area of not less than thirty five square miles and not more than thirty seven square miles, any conservation easement purchased all, or in part, with state funds shall be excluded from the open space percentage allocation required for such an application by such municipality's zoning or planning commission.

Sec. 473. (NEW) (Effective July 1, 2015) Notwithstanding the provisions of sections 17b-706 to 17b-706c to sections 17b-706 to 17b-706c of the general statutes, inclusive, where authorized by a collective bargaining agreement negotiated pursuant to section 17b-706b of the general statutes, the parties may contract for the provision of training and related services to personal care attendants, as defined in section 17b-706 of the general statutes, at cost directly with a nonprofit labor management trust authorized by 29 USC 186(c)(6).

Sec. 474. (Effective June 30, 2015) Sections 112 to 137, inclusive, of public act 15-244 shall take effect October 1, 2015, and shall be applicable to the renewal of a license or certificate that expires on or after said date.

Sec. 475. Subsection (b) of section 19a-88 of the general statutes, as amended by section 112 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015, and applicable to the renewal of a license that expires on or after said date):

(b) Each person holding a license to practice medicine, surgery, podiatry, chiropractic or naturopathy shall, annually, during the month of such person's birth, register with the Department of Public Health, upon payment of the professional services fee for class I, as defined in section 33-182 I [A>, plus five dollars<A] . Each person holding a license to practice medicine or surgery shall pay

[D>ten<D]

[A>five<A] dollars in addition to such professional services fee. Such

registration shall be on blanks to be furnished by the department for such purpose, giving such person's name in full, such person's residence and business address and such other information as the department requests.

Sec. 476. Section 20-74f of the general statutes, as amended by section 116 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) The department shall issue a license to any person who meets the requirements of this chapter upon payment of a license fee of two hundred [D>five<D] dollars. Any person who is issued a license as an occupational therapist under the terms of this chapter may use the words "occupational therapist", "licensed occupational therapist", or "occupational therapist registered" or such person may use the letters "O. T. ", "L. O. T. ", or "O. T. R. " in connection with such person's name or place of business to denote such person's registration hereunder. Any person who is issued a license as an occupational therapy assistant under the terms of this chapter may use the words "occupational therapy assistant", or such person may use the letters "O. T. A. ", "L. O. T. A. ", or "C. O. T. A. " in connection with such person's name or place of business to denote such person's registration thereunder. No person shall practice occupational therapy or hold himself or herself out as an occupational therapist or an occupational therapy assistant, or as being able to practice occupational therapy or to render occupational therapy services in this state unless such person is licensed in accordance with the provisions of this chapter.

(b) No person, unless registered under this chapter as an occupational therapist or an occupational therapy assistant or whose registration has been suspended or revoked, shall use, in connection with such person's name or place of business the words "occupational therapist", "licensed occupational therapist", "occupational therapist registered", "occupational therapy assistant", or the letters, "O. T. ", "L. O. T. ", "O. T. R. ", "O. T. A. ", "L. O. T. A. ", or "C. O. T. A. ", or any words, letters, abbreviations or insignia indicating or implying that such person is an occupational therapist or an occupational therapy assistant or in any way, orally, in writing, in print or by sign, directly or by implication, represent himself or herself as an occupational therapist or an occupational therapy assistant. Any person who violates the provisions of this section shall be guilty of a class D felony. For the purposes of this section, each instance of patient contact or consultation which is in violation of any provision of this chapter shall constitute a separate offense. Failure to renew a license in a timely manner shall not constitute a violation for the purposes of this section.

Sec. 477. Section 20-74h of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2015, and applicable to the renewal of a license that expires on or after said date):

Licenses issued under this chapter shall be subject to renewal once every two years and shall expire unless renewed in the manner prescribed by regulation upon the payment of two times the professional services fee payable to the State Treasurer for class B as defined in section 33-182 I [A>, plus five dollars<A]. The department shall notify any person or entity that fails to comply with the

provisions of this section that

[D>his<D]

[A>the person's or entity's<A] license shall

become void ninety days after the time for its renewal unless it is so renewed. Any such license shall become void upon the expiration of such ninety-day period. The commissioner shall establish additional requirements for licensure renewal which provide evidence of continued competency. The holder of an expired license may apply for and obtain a valid license only upon compliance with all relevant requirements for issuance of a new license. A suspended license is subject to expiration and may be renewed as provided in this section, but such renewal shall not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity, or in any other conduct or activity in violation of the order or judgment by which the license was suspended. If a license revoked on disciplinary grounds is reinstated, the licensee, as a condition of reinstatement, shall pay the renewal fee.

Sec. 478. Section 20-222a of the general statutes, as amended by section 131 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015, and applicable to the renewal of a license or certificate that expires on or after said date):

Each embalmer's license, funeral director's license and inspection certificate issued pursuant to the provisions of this chapter shall be renewed, except for cause, by the Department of Public Health upon the payment to said Department of Public Health by each applicant [A>(1)<A] for license renewal of the sum of one

hundred fifteen dollars in the case of an embalmer

[D>, <D]

[A>and<A] two hundred

thirty-five dollars in the case of a funeral director [A>, <A] and [A>(2)<A] for inspection

certificate renewal

[A>of<A] the sum of one hundred

[D>ninety-five<D]

[A>ninety<A] dollars for

each certificate to be renewed. Fees for renewal of inspection certificates shall be given to the Department of Public Health on or before July first in each year and the renewal of inspection certificates shall begin on July first of each year and shall be valid for one calendar year. Licenses shall be renewed in accordance

with the provisions of section 19a-88, as amended by

[D>this act<D]

[A>public act 15-244

and this act<A] .

Sec. 479. Section 136 of public act 15-244 is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

On or before the last day of January, April, July and October in each year, the Commissioner of Public Health shall certify the amount of revenue received as a result of any fee increase in the amount of five dollars that took effect [D>July<D] [A>October<A] 1, 2015, pursuant to sections 19a-88, 19a-515, 20-65k, 20-74bb, [D>20-74f<D] [A>20-74h<A] , 20-74s, 20-149, 20-162o, 20-162bb, 20-191a, 20-195c, 20-195o, 20-195cc, 20-201, 20-206b, 20-206n, 20-206r, 20-206bb, 20-206 ll, 20-222a, 20-275, 20-395d,

20-398 and 20-412 of the general statutes, each as amended by

[D>this act<D]

[A>public

act 15-244 and this act<A] , and transfer such amount to the professional assistance

program account established in section 137 of

[D>this act<D]

[A>public act 15-244<A] .

Sec. 480. (NEW) (Effective October 1, 2015) (a) As used in this section:

(1) "Health care professional" means any person licensed or who holds a permit pursuant to chapter 372, 373, 375 to 378, inclusive, 379 to 381a, inclusive, 383 to 385, inclusive, 398 or 399 of the general statutes;

(2) "Assistance program" means the program established pursuant to section 19a-12a of the general statutes to provide education, prevention, intervention, referral assistance, rehabilitation or support services to health care professionals who have a chemical dependency, emotional or behavioral disorder or physical or mental illness; and

(3) "Hospital" has the same meaning as provided in section 19a-490 of the general statutes.

(b) (1) Any health care professional or hospital shall, and any other person may, file a petition when such health care professional, hospital or person has any information that appears to show that a health care professional is, or may be, unable to practice his or her profession with reasonable skill or safety for any of the following reasons: (A) Physical illness or loss of motor skill, including, but not limited to, deterioration through the aging process; (B) emotional disorder or mental illness; (C) abuse or excessive use of drugs, including alcohol, narcotics or chemicals; (D) illegal, incompetent or negligent conduct in the practice of the profession of the health care professional; (E) possession, use, prescription for use or distribution of controlled substances or legend drugs, except for therapeutic or other medically proper purposes; (F) misrepresentation or concealment of a material fact in the obtaining or reinstatement of a license to practice the profession of the health care professional; or (G) violation of any provision of the chapter of the general statutes under which the health care professional is licensed or any regulation

established under such chapter.

(2) A health care professional or hospital shall, and any other person may, file a petition described in this subsection not later than thirty days after obtaining information to support such petition. Each petition shall be filed with the Department of Public Health on forms supplied by the department, shall be signed and sworn and shall set forth in detail the matters complained of.

(c) Any health care professional or hospital that refers a health care professional for intervention to the assistance program shall be deemed to have satisfied the obligations imposed on the health care professional or hospital pursuant to this section with respect to a health care professional's inability to practice with reasonable skill or safety due to chemical dependency, emotional or behavioral disorder or physical or mental illness.

(d) A health care professional who has been the subject of an arrest arising out of an allegation of the possession, use, prescription for use or distribution of a controlled substance or legend drug or alcohol or diagnosed with a mental illness or behavioral or emotional disorder shall, not less than thirty days after such arrest or diagnosis, notify the Department of Public Health. The health care professional shall be deemed to satisfy this obligation if the health care professional seeks intervention with the assistance program.

(e) A health care professional shall report to the department any disciplinary action similar to an action specified in subsection (a) of section 19a-17 of the general statutes taken against the health care professional by a duly authorized professional disciplinary agency of any state, the District of Columbia, a United States possession or territory or a foreign jurisdiction, not later than thirty days after such action. Failure to report in accordance with the provisions of this subsection may constitute a ground for disciplinary action under section 19a-17 of the general statutes.

(f) No health care professional, hospital or person filing a petition in accordance with the provisions of this section or providing information to the department or the assistance program shall, without a showing of malice, be liable for damage or injury to the health care professional. The assistance program shall not be liable for damage or injury to the health care professional without a showing of malice.

(g) The department shall investigate each petition filed pursuant to this section in accordance with the provisions of subdivisions (10) and (11) of subsection (a) of section 19a-14 of the general statutes, to determine if probable cause exists to issue a statement of charges and to institute proceedings against the health care professional under subsection (j) of this section. Such investigation shall be concluded not later than eighteen months after the date the petition is filed with the department and, unless otherwise specified by this subsection, the record of such investigation shall be deemed a public record, in accordance with section 1-210 of the general statutes, at the conclusion of such eighteen-month period. Any such investigation shall be confidential prior to the conclusion of such eighteen-month period and no person shall disclose his or her knowledge of such investigation to a third party unless the health

care professional requests that such investigation and disclosure be open, except the department shall provide information to the person who filed the petition as provided in subdivision (12) of subsection (a) of section 19a-14 of the general statutes. If the department determines that probable cause exists to issue a statement of charges, the entire record of such proceeding shall be public unless the department determines that the health care professional is an appropriate candidate for participation in the assistance program. If at any time subsequent to the filing of a petition and during the eighteen-month period following the filing of the petition, the department makes a finding of no probable cause, the petition and the entire record of such investigation shall remain confidential, except as provided in subdivision (12) of subsection (a) of section 19a-14 of the general statutes, unless the health care professional requests that such petition and record be open.

(h) As part of an investigation of a petition filed pursuant to this section, the department may order the health care professional to submit to a physical or mental examination to be performed by a physician chosen from a list approved by the department. The department may seek the advice of established medical organizations or licensed health professionals in determining the nature and scope of any diagnostic examinations to be used as part of any such physical or mental examination. The chosen physician shall make a written statement of his or her findings.

(i) If the health care professional fails to obey a department order to submit to examination or attend a hearing, the department may petition the superior court for the judicial district of Hartford to order such examination or attendance, and said court or any judge assigned to said court shall have jurisdiction to issue such order.

(j) Subject to the provisions of section 4-182 of the general statutes, no license shall be restricted, suspended or revoked by the Department of Public Health, and no health care professional's right to practice shall be limited by the department, until the health care professional has been given notice and opportunity for hearing in accordance with said section.

Sec. 481. Subsection (b) of section 4-85 of the general statutes, as amended by section 165 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective July 1, 2019):

(b) Any allotment requisition and any allotment in force shall be subject to the following: (1) If the Governor determines that due to a change in circumstances since the budget was adopted certain reductions should be made in allotment requisitions or allotments in force or that estimated budget resources during the fiscal year will be insufficient to finance all appropriations in full, the Governor may modify such allotment requisitions or allotments in force to the extent the Governor deems necessary. Before such modifications are effected the Governor shall file a report with the joint standing committee having cognizance of matters relating to appropriations and the budgets of state agencies and the joint standing committee having cognizance of matters relating to state finance, revenue and bonding describing the change in circumstances which makes it necessary that certain reductions should be made or the basis for the Governor's determination that estimated budget resources will be insufficient to finance all appropriations in full. (2) If the cumulative monthly financial statement issued

by the Comptroller pursuant to section 3-115 as amended by

[D>this act<D]

[A>public act

15-244<A] includes a projected General Fund deficit greater than one per cent of the total of General Fund appropriations, the Governor, within thirty days following the issuance of such statement, shall file a report with such joint standing committees, including a plan which the Governor shall implement to modify such allotments to the extent necessary to prevent a deficit. No modification of an allotment requisition or an allotment in force made by the Governor pursuant to this subsection shall result in a reduction of more than three per cent of the total appropriation from any fund or more than five per cent of any appropriation, except such limitations shall not apply in time of war, invasion or emergency

caused by natural disaster. If the

[D>Comptroller has projected a<D]

[A>cumulative

monthly financial statement issued by the Comptroller pursuant to section 3-115 includes a projected<A] General Fund deficit greater than one per cent of the total of General Fund appropriations and any funds have been transferred to the

Restricted Grants Fund pursuant to section 4-30a, as amended by

[D>this act<D]

[A>public

act 15-244 ,<A] the Governor may direct the Treasurer to transfer those funds to the General Fund as part of the Governor's plan to prevent a deficit pursuant to this section.

Sec. 482. Subdivision (4) of subsection (a) of section 12-217 of the general statutes, as amended by section 87 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective from passage):

(4) Notwithstanding any provision of this section to the contrary, (A) any excess of the deductions provided in this section for any income year commencing on or after January 1, 1973, over the gross income for such year or the amount of such excess apportioned to this state under the provisions of section 12-218, as

amended by

[D>this act<D]

[A>public act 15-244<A] , shall be an operating loss of such

income year and shall be deductible as an operating loss carry-over for operating losses incurred prior to income years commencing January 1, 2000, in each of the five income years following such loss year,

and for operating losses incurred in income years commencing on or after January 1, 2000, in each of the twenty income years following such loss year, except that (i) for income years commencing prior to January 1, 2015, the portion of such operating loss which may be deducted as an operating loss carry-over in any income year following such loss year shall be limited to the lesser of (I) any net income greater than zero of such income year following such loss year, or in the case of a company entitled to apportion its

net income under the provisions of section 12-218, as amended by

[D>this act<D]

[A>public

act 15-244<A] , the amount of such net income which is apportioned to this state pursuant thereto, or (II) the excess, if any, of such operating loss over the total of such net income for each of any prior income years following such loss year, such net income of each of such prior income years following such loss year for such purposes being computed without regard to any operating loss carry-over from such loss year allowed under this subparagraph and being regarded as not less than zero, and provided further the operating loss of any income year shall be deducted in any subsequent year, to the extent available for such deduction, before the operating loss of any subsequent income year is deducted, [D>and<D] (ii) for income years commencing on or after January 1, 2015, the portion of such operating loss which may be deducted as an operating loss carry-over in any income year following such loss year shall be limited to the lesser of (I) fifty per cent of net income of such income year following such loss year, or in the case of a company entitled to apportion its net income under the provisions of section

12-218, as amended by

[D>this act<D]

[A>public act 15-244<A] , fifty per cent of such net

income which is apportioned to this state pursuant thereto, or (II) the excess, if any, of such operating loss over the operating loss deductions allowable with respect to such operating loss under this subparagraph for each of any prior income years following such loss year, such net income of each of such prior income years following such loss year for such purposes being computed without regard to any operating loss carry-over from such loss year allowed under this subparagraph and being regarded as not less than zero, and provided further the operating loss of any income year shall be deducted in any subsequent year, to the extent available for such deduction, before the operating loss of any subsequent income year is deducted, [A>and (iii) if a combined group so elects, the operating loss carry-over of said combined group, shall be limited to fifty per cent of unused operating losses incurred prior to the income year commencing on or after January 1, 2015, and before January 1, 2016. The portion of such operating loss carryover that may be deducted shall be limited to net income greater than zero in any income year commencing on or after January 1, 2017. Only after the combined group's operating loss carry-over for operating losses incurred prior to income years commencing January 1, 2015, has been fully utilized, will the limitations prescribed in subparagraph (A)(ii) apply. The combined

group shall make such election on its return for the income year beginning on or after January 1, 2015, and before January 1, 2016, by the due date for such return, including any extensions. Only combined groups with unused operating losses in excess of six billion dollars from income years beginning prior to January 1, 2013, may make the election prescribed in this clause, <A] and (B) any net capital loss, as defined in the Internal Revenue Code effective and in force on the last day of the income year, for any income year commencing on or after January 1, 1973, shall be allowed as a capital loss carry-over to reduce, but not below zero, any net capital gain, as so defined, in each of the five following income years, in order of sequence, to the extent not exhausted by the net capital gain of any of the preceding of such five following income years, and (C) any net capital losses allowed and carried forward from prior years to income years beginning on or after January 1, 1973, for federal income tax purposes by companies entitled to a deduction for dividends paid under the Internal Revenue Code other than companies subject to the gross earnings taxes imposed under chapters 211 and 212, shall be allowed as a capital loss carry-over.

Sec. 483. (Effective from passage) (a) Notwithstanding the provisions of subparagraph (K) (i) of subdivision (1) of section 12-408 of the general statutes, as amended by this act, the Commissioner of Revenue Services shall transfer the first eight hundred fourteen thousand eight hundred ninety-one dollars scheduled to be deposited pursuant to said subparagraph into the municipal revenue sharing account established pursuant to section 4-66 I, as amended by this act, to the State Treasurer for the purposes set forth in subsection (b) of this section.

(b) For the fiscal year ending June 30, 2016, the following amounts shall be paid by the State Treasurer to the following towns and cities from the funds specified in subsection (a) of this section:

(1) For education purposes: One hundred twenty-five thousand dollars to the town of Killingly, one hundred twenty-five thousand dollars to the town of Plainfield and two hundred fifty thousand dollars to the city of Stamford; and

(2) For general municipal purposes: Forty-eight thousand one hundred dollars to the town of East Lyme, one hundred sixty-six thousand seven hundred ninety-one dollars to the town of Farmington, fifty thousand dollars to the city of Norwich and fifty thousand dollars to the town of Branford.

(c) Any amount provided pursuant to subdivision (1) of subsection (b) of this section shall not be included in the applicable town or city's calculation of its budgeted appropriation for education for purposes of section 10-262j of the general statutes, as amended by this act.

Sec. 484. (Effective July 1, 2015) The sum of one million five hundred thousand dollars shall be made available for a grant to the city of Middletown, for general municipal purposes, by the Office of Policy and Management from the regional planning incentive account established pursuant to section 4-66k of the general statutes.

Sec. 485. (NEW) (Effective from passage) (a) There is established the Connecticut Low Wage Employer Advisory Board. Such board shall advise the Labor Commissioner, the Departments of Social

Services and Developmental Services and the Office of Early Childhood on matters related to: (1) The causes and effects of businesses paying low wages to residents of the state, (2) public assistance usage among working residents of the state, (3) minimum wage rates necessary to ensure working residents of the state may achieve an economically stable standard of living, (4) improvement of the quality of public assistance programs affecting such residents, (5) wages and working conditions for the workforce delivering services to low-wage working families, and (6) reliance of businesses on state-funded public assistance programs.

(b) In advising the Labor Commissioner, the Departments of Social Services and Developmental Services and the Office of Early Childhood on the matters described in subdivisions (1) to (6), inclusive, of subsection (a) of this section, the board shall:

(1) Study and monitor (A) the causes and effects of businesses paying low wages to residents of the state, including the impact of such labor practices on workers' need for public assistance, (B) the minimum wage rates necessary to enable working residents of the state to meet basic needs, such as food, housing, health care and child care without assistance from state-funded public assistance programs, and (C) the benefits received by employers from the provision of public assistance to the state workforce and solutions to associated problems;

(2) Consider, suggest and review legislative and agency proposals and actions regarding the matters described in subdivisions (1) to (6), inclusive, of subsection (a) of this section;

(3) Foster communication between working residents of the state who provide or receive public assistance and employers and state agencies for the purpose of improving the quality of state public assistance programs serving lower-income residents; and

(4) Advise the Labor Commissioner, and other interested state agencies or officials, on policies and procedures related to the board's areas of study, including, but not limited to, public assistance usage among lower-income working residents, the impact of public assistance programs on workforce quality and stability, and the wages and benefits necessary to maintain a stable and qualified workforce to administer and provide services in connection with public assistance programs.

(c) The board may form working groups, as necessary, to solicit feedback from stakeholders to enable the board to fulfill the duties and responsibilities set forth in subsections (a) and (b) of this section.

(d) Not later than December 1, 2015, and annually thereafter, the board shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, on its findings and recommendations to the joint standing committees of the General Assembly having cognizance of matters relating to labor, human services and education, and to the Labor Commissioner, Commissioner of Social Services and Director of the Office of Early Childhood. Such report shall be made available to the public in a form and manner prescribed by the board.

(e) Notwithstanding the provisions of section 4-9a of the general statutes, the board shall consist of the

following members, each of whom shall serve an initial term of four years following the date of appointment:

(1) Five appointed by the Governor, (A) one of whom shall be an expert on the issues facing low wage workers, (B) one of whom shall be an expert on the labor force needs of the large business community, (C) one of whom shall be an expert on the labor force needs of the small business community, (D) one of whom shall be a recipient of consumer-directed Medicaid services, and (E) one of whom shall be a person enrolled in a state child care program;

(2) One appointed by the president pro tempore of the Senate, who shall represent an organization whose principal purpose is advocacy for services funded by consumer-directed Medicaid programs;

(3) One appointed by the speaker of the House of Representatives, who shall represent an organization whose principal purpose is advocacy for services funded by state child care programs;

(4) One appointed by the majority leader of the Senate, who shall be an organized labor representative who represents workers who provide services funded by consumer-directed Medicaid programs;

(5) One appointed by the majority leader of the House of Representatives, who shall be an organized labor representative who represents workers who provide child care services funded by state child care programs;

(6) One appointed by the minority leader of the Senate, who shall be a person with experience in the labor force needs of the large business community;

(7) One appointed by the minority leader of the House of Representatives, who shall be a person with experience in the labor force needs of the small business community;

(8) The Labor Commissioner, or the commissioner's designee; and

(9) The Secretary of the Office of Policy and Management, or the secretary's designee.

(f) All appointments to the board shall be made not later than thirty days after the effective date of this section. Following the expiration of their initial terms, subsequent members shall serve three-year terms. Any vacancy shall be filled by the appointing authority not later than thirty calendar days after the office becomes vacant. Any member previously appointed to the board may be reappointed.

(g) The members of the board shall elect two chairpersons of the board at the first meeting of the board, which shall be held not later than forty calendar days after the effective date of this section. The board shall meet at least quarterly.

(h) Each member shall serve without compensation but shall, within available appropriations, be reimbursed in accordance with standard travel reimbursement for state employees for all necessary expenses that they may incur through service on the board.

(i) Each member shall, not later than ten calendar days after the first meeting of the board, take an oath of office to diligently and honestly administer the affairs of the board, and will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to their service on the board. The oath shall be administered by a chairperson of the board.

(j) Each member shall be entitled to one vote on the board. A majority of the members who have been appointed to the board shall constitute a quorum for the transaction of any business, the exercise of any power or the performance of any duty authorized or imposed by law.

(k) The board shall be within the Labor Department for administrative purposes only.

Sec. 486. (NEW) (Effective July 1, 2015) For purposes of this section and sections 487 and 489 of this act:

(1) "Cost-beneficial" means the cost savings and benefits realized over a reasonable period of time are greater than the costs of implementation;

(2) "Program inventory" means the (A) compilation of the complete list of all agency programs and activities; (B) identification of those that are evidence-based, research-based and promising; and (C) inclusion of program costs and utilization data;

(3) "Evidence-based" describes a program that (A) incorporates methods demonstrated to be effective for the intended population through scientifically based research, including statistically controlled evaluations or randomized trials; (B) can be implemented with a set of procedures to allow successful replication in the state; (C) achieves sustained, desirable outcomes; and (D) when possible, has been determined to be cost-beneficial;

(4) "Research-based" describes a program or practice that has some research demonstrating effectiveness, such as one tested with a single randomized or statistically controlled evaluation, but does not meet all of the criteria of an evidence-based program; and

(5) "Promising" describes a program or practice that, based on statistical analyses or preliminary research, shows potential for meeting the evidence-based or research-based criteria.

Sec. 487. (NEW) (Effective July 1, 2015) (a) Not later than January 1, 2016, and not later than October first in every even-numbered year thereafter, the Departments of Correction, Children and Families and Mental Health and Addiction Services, and the Court Support Services Division of the Judicial Branch shall compile a program inventory of each of said agency's criminal and juvenile justice programs and shall categorize them as evidence-based, research-based, promising or lacking any evidence. Each program inventory shall include a complete list of all agency programs, including the following information for each such program for the prior fiscal year: (1) A detailed description of the program, (2) the names of providers, (3) the intended treatment population, (4) the intended outcomes, (5) the method of assigning participants, (6) the total annual program expenditures, (7) a description of funding sources, (8) the cost per participant, (9) the annual number of participants, (10) the annual capacity for

participants, and (11) the estimated number of persons eligible for, or needing, the program.

(b) Each program inventory required by subsection (a) of this section shall be submitted in accordance with the provisions of section 11-4a of the general statutes to the Criminal Justice Policy and Planning Division within the Office of Policy and Management, the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and finance, revenue and bonding, the Office of Fiscal Analysis, and the Institute for Municipal and Regional Policy at Central Connecticut State University.

(c) Not later than March 1, 2016, and annually thereafter by November first, the Institute for Municipal and Regional Policy at Central Connecticut State University shall submit a report containing a cost-benefit analysis of the programs inventoried in subsection (a) of this section to the Criminal Justice Policy and Planning Division of the Office of Policy and Management, the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and finance, revenue and bonding, and the Office of Fiscal Analysis, in accordance with the provisions of section 11-4a of the general statutes.

(d) The Office of Policy and Management and the Office of Fiscal Analysis may include the cost-benefit analysis provided by the Institute for Municipal and Regional Policy under subsection (c) of this section in their reports submitted to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budget of state agencies, and finance, revenue and bonding on or before November fifteenth annually, pursuant to subsection (b) of section 2-36b of the general statutes.

Sec. 488. Subsection (b) of section 4-68m of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(b) The division shall develop a plan to promote a more effective and cohesive state criminal justice system and, to accomplish such plan, shall:

- (1) Conduct an in-depth analysis of the criminal justice system;
- (2) Determine the long-range needs of the criminal justice system and recommend policy priorities for the system;
- (3) Identify critical problems in the criminal justice system and recommend strategies to solve those problems;
- (4) Assess the cost-effectiveness of the use of state and local funds in the criminal justice system;
- (5) Recommend means to improve the deterrent and rehabilitative capabilities of the criminal justice system;
- (6) Advise and assist the General Assembly in developing plans, programs and proposed legislation for

improving the effectiveness of the criminal justice system;

(7) Make computations of daily costs and compare interagency costs on services provided by agencies that are a part of the criminal justice system;

[A>(8) Review the program inventories and cost-benefit analyses submitted pursuant to section 487 of this act and consider incorporating such inventories and analyses in its budget recommendations to the General Assembly;<A]

[D>(8)<D]

[A>(9)<A] Make population computations for use in planning for the long-range

needs of the criminal justice system;

[D>(9)<D]

[A>(10)<A] Determine long-range information needs of the criminal justice system

and acquire that information;

[D>(10)<D]

[A>(11)<A] Cooperate with the Office of the Victim Advocate by providing information and assistance to the office relating to the improvement of crime victims' services;

[D>(11)<D]

[A>(12)<A] Serve as the liaison for the state to the United States Department of

Justice on criminal justice issues of interest to the state and federal government relating to data, information systems and research;

[D>(12)<D]

[A>(13)<A] Measure the success of community-based services and programs in

reducing recidivism;

[D>(13)<D]

[A>(14)<A] Develop and implement a comprehensive reentry strategy as provided in

section 18-81w; and

[D>(14)<D]

[A>(15)<A] Engage in other activities consistent with the responsibilities of

the division.

Sec. 489. (NEW) (Effective July 1, 2016) The Departments of Correction, Children and Families and Mental Health and Addiction Services, and the Court Support Services Division of the Judicial Branch may include in the estimates of expenditure requirements transmitted pursuant to section 4-77 of the general statutes, and the Governor may include in the Governor's recommended appropriations in the budget document transmitted to the General Assembly pursuant to section 4-71 of the general statutes, an estimate of the amount required by said agencies for expenditures related to the implementation of evidence-based programs.

Sec. 490. Subsection (a) of section 10a-1a of the general statutes, as amended by section 1 of public act 15-228, is repealed and the following is substituted in lieu thereof (Effective from passage):

(a) There shall be a Board of Regents for Higher Education who shall serve as the governing body for the regional community-technical college system, the Connecticut State University System and Charter Oak State College. The board shall consist of twenty-one members who shall be distinguished leaders of the community in Connecticut. The board shall reflect the state's geographic, racial and ethnic diversity. The voting members shall not be employed by or be a member of a board of trustees for any independent institution of higher education in this state or the Board of Trustees for The University of Connecticut nor shall they be [D>employed by or be elected officials of any public agency, as defined in subdivision (1) of

section 1-200<D]

[A>public officials or state employees, as such terms are defined in

section 1-79<A] , during their term of membership on the Board of Regents for Higher Education. The Governor shall appoint nine members to the board as follows: Three members for a term of two years; three members for a term of four years; and three members for a term of six years. Thereafter, the Governor shall appoint members of the board to succeed such appointees whose terms expire and each member so appointed shall hold office for a period of six years from the first day of July in the year of his or her appointment. Four members of the board shall be appointed as follows: One appointment by the president pro tempore of the Senate, who shall be an alumnus of the regional community-technical college system, for a term of four years; one appointment by the minority leader of the Senate, who shall be a specialist in the education of children in grades kindergarten to twelve, inclusive, for a term of three years; one appointment by the speaker of the House of Representatives, who shall be an alumnus of the Connecticut State University System, for a term of four years; and one appointment by the minority leader of the House of Representatives, who shall be an alumnus of Charter Oak State College, for a term of three years. Thereafter, such members of the General Assembly shall appoint members of the board to succeed such appointees whose terms expire and each member so appointed shall hold office for a period of four years from the first day of July in the year of his or her appointment. The chairperson and vice-chairperson of the student advisory committee created under section 10a-3 shall serve as members of the board. The chairperson and vice-chairperson of the faculty advisory committee created under section 10a-3a shall serve as ex-officio, nonvoting members of the board for a term of two years and, in their respective roles as chairperson and vice-chairperson, may be invited to any executive session, as defined in section 1-200, of the board by the chairperson of the board. The Commissioners of Education, Economic and Community Development and Public Health and the Labor Commissioner shall serve as ex-officio, nonvoting members of the board.

Sec. 491. Section 4a-19 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

There shall be a State Insurance and Risk Management Board consisting of [D>eleven<D] [A>twelve<A] persons whom the Governor shall appoint subject to the provisions of

section 4-9a. Four of such appointees shall be public members and

[D>seven<D]

[A>eight<A]

shall be qualified by training and experience to carry out their duties under the provisions of sections 4a-20 and 4a-21. The Comptroller shall be an ex-officio voting member of said board and may designate another person to act in his [A>or her<A]

place. Not more than

[D>six<D]

[A>eight<A] appointed members of said board shall, at any

time, be members of the same political party. Said appointed members shall receive no compensation for the performance of their duties as such but shall be reimbursed for their necessary expenses.

[D>The Governor may fill any vacancy on said board for the unexpired portion of the term.<D] The board shall meet at least once during each calendar quarter and at such other times as the chairperson deems necessary. Special meetings shall be held on the request of a majority of the board after notice in accordance with the provisions of section 1-225. A majority of the members of the board shall constitute a quorum. Any member who fails to attend three consecutive meetings or who fails to attend fifty per cent of all meetings held during any calendar year shall be deemed to have resigned from office. [D>No member shall serve more than two full consecutive terms which commence on or after July 1, 1983.<D] Said board shall be within the Department of Administrative Services, provided the board shall have independent decision-making authority. Said department shall provide staff support for the board.

Sec. 492. Section 46a-9 of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

There is established a Board of Protection and Advocacy for Persons with

Disabilities,

[D>hereinafter<D]

[A>otherwise<A] referred to

[A>in this section<A] as the

advocacy board. The advocacy board shall advise the executive director of the Office of Protection and Advocacy for Persons with Disabilities on matters relating to advocacy policy, client service priorities and issues affecting persons with disabilities. Said advocacy board shall consist of fifteen members appointed by the Governor and be comprised of ten persons with disabilities or a parent or guardian of a person with a disability, at least four of whom shall represent developmentally disabled persons, and five persons who are knowledgeable in the problems of persons with disabilities [A>,<A] including the state Americans with Disabilities Act coordinator and the chairperson for the advisory board of the protection and advocacy for individuals with mental illness program. [A>The Governor or the Governor's designee shall serve on the board as a nonvoting member.<A] No officer or employee of a state or private agency providing services to persons with disabilities other than the chairperson for the advisory board of the protection and advocacy for individuals with mental illness program, if applicable, may serve as a member of the advocacy board. [D>The initial terms of the members of said advocacy board shall terminate on July 1, 1979, and thereafter the terms of the members of said advocacy board shall be coterminous with the term of the Governor.<D] The Governor shall appoint one of the members of said board to serve as chairperson. All members of the advocacy board shall serve without compensation but

shall be compensated for necessary expenses, incurred in the performance of their duties as board members.

Sec. 493. Section 19a-14 of the general statutes is amended by adding subsection (f) as follows (Effective from passage):

(NEW) (f) (1) Upon the issuance of a complaint under this chapter concerning any board or commission listed in subsection (b) of this section, or upon the filing of a petition for a declaratory ruling with, or the initiation of a proceeding for declaratory ruling by, any such board or commission pursuant to section 4-176, such board or commission shall notify the department of such complaint, petition or initiation of a proceeding.

(2) The Commissioner of Public Health or his or her designee may, not later than fifteen calendar days after receipt of the notice described in subdivision (1) of this subsection, notify such board or commission that the decision rendered by such board or commission in such matter shall be a proposed decision and that the commissioner or his or her designee shall render the final determination of the matter. The board or commission in making any such proposed decision shall comply with the requirements set forth in section 4-179. The commissioner or his or her designee may approve, modify or reject the proposed decision or remand the proposed decision for further review or for the taking of additional evidence. Any party to the matter may file written exceptions to the proposed decision not later than thirty days after the proposed decision is issued by the board or commission. The decision of the commissioner or his or her designee shall be the final decision in accordance with section 4-180 and for purposes of reconsideration in accordance with section 4-181a or appeal to the Superior Court pursuant to section 4-183.

Sec. 494. Section 4-66 I of the general statutes, as amended by section 207 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015)

(a) For the purposes of this section:

(1) "FY 15 mill rate" means the mill rate a municipality uses during the fiscal year ending June 30, 2015;

(2) "Mill rate" means the mill rate a municipality uses to calculate tax bills for motor vehicles;

(3) "Municipality" means any town, city, consolidated town and city or consolidated town and borough;

(4) "Municipal spending" means:

Municipal Municipal

spending for spending for

the fiscal year the fiscal year

prior to the - two years

current fiscal prior to the
year current year X 100 = Municipal spending
Municipal spending for
the fiscal year two years
prior to the current year;

(5) "Per capita distribution" means:

Town population X Sales tax revenue = Per capita distribution;
Total state population

(6) "Pro rata distribution" means:

Municipal weighted
mill rate
calculation X Sales tax revenue = Pro rata distribution;

Sum of all

municipal weighted

mill rate

calculations combined

(7) "Regional council of governments" means any such council organized under the provisions of sections 4-124i to 4-124p, inclusive;

(8) "Town population" means the number of persons in a municipality according to the most recent estimate of the Department of Public Health;

(9) "Total state population" means the number of persons in this state according to the most recent estimate published by the Department of Public Health;

(10) "Weighted mill rate" means a municipality's FY 15 mill rate divided by the average of all municipalities' FY 15 mill rate;

(11) "Weighted mill rate calculation" means per capita distribution multiplied by a municipality's weighted mill rate; [D>and<D]

(12) "Sales tax revenue" means the moneys in the account remaining for distribution pursuant to

subdivision (6) of subsection (b) of this section [A>; and<A]

[A>(13) "District" means any district, as defined in section 7-324<A] .

(b) There is established an account to be known as the "municipal revenue sharing account" which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account. Moneys in the account shall be transferred or disbursed in the following order:

(1) Ten million dollars for the fiscal year ending June 30, 2016, and ten million dollars for the fiscal year ending June 30, 2017, for the purposes of grants under section 10-262h, as amended by this act;

(2) For the fiscal year ending June 30, 2017, and each fiscal year thereafter, moneys sufficient to make the grants payable from the select payment in lieu of taxes grant account established pursuant to section 182 of this act shall annually be transferred to the select payment in lieu of taxes account in the Office of Policy and Management;

(3) For the fiscal year ending June 30, 2017, and each fiscal year thereafter, moneys sufficient to make motor vehicle property tax grants to municipalities pursuant to subsection (c) of this section shall be expended annually by the secretary;

(4) For the fiscal

[D>year<D]

[A>years<A] ending June 30, 2017,

[A>and June 30, 2018,<A] moneys

sufficient to make the municipal revenue sharing grants payable to municipalities pursuant to subsection (d) of this section;

(5) (A) For the fiscal year ending June 30, 2017, three million dollars shall be expended by the secretary for the purposes of the regional services grants pursuant to subsection (e) of this section to the regional councils of governments on a per capita basis, as determined by the most recent population estimate of the Department of Public Health and (B) for the fiscal year ending June 30, 2018, and each fiscal year thereafter, seven million dollars shall be expended for the purposes of the regional services grants pursuant to subsection (e) of this section to the regional councils of governments on a per capita basis, as determined by the most recent population estimate of the Department of Public Health; and

(6) For the fiscal year ending June 30,

[D>2018<D]

[A>2019<A] , and each fiscal year

thereafter, moneys in the account remaining shall be expended annually by the Secretary of the Office of Policy and Management for the purposes of the municipal revenue sharing grants established pursuant

to subsection (f) of this section. Any such moneys deposited in the account for municipal revenue sharing grants between October first and June thirtieth shall be distributed to municipalities on the following October first and any such moneys deposited in the account between July first and September thirtieth shall be distributed to municipalities on the following January thirty-first. Any town may apply to the Office of Policy and Management on or after July first for early disbursement of a portion of such grant. The Office of Policy and Management may approve such an application if it finds that early disbursement is required in order for a town to meet its cash flow needs. No early disbursement approved by said office may be issued later than September thirtieth.

(c) (1) For the fiscal year ending June 30, 2017, motor vehicle property tax grants to municipalities [A>that impose mill rates greater than 32 mills or that, when combined with the mill rate of any district located within the municipality, impose mill rates greater than 32 mills,<A] shall be made in an amount equal to the

difference between the amount of property taxes levied by

[D>a<D]

[A>the<A] municipality

[A>and any district located within the municipality<A] on motor vehicles for the assessment year commencing October 1, 2013, and the amount such levy would have been if the mill rate on motor vehicles for said assessment year was 32 mills; and (2) for the fiscal year ending June 30, 2018, and each fiscal year thereafter, motor vehicle property tax grants to municipalities [A>that impose mill rates greater than 29.36 mills or that, when combined with the mill rate of any district located within the municipality, impose mill rates greater than 29.36 mills,<A] shall be made in an amount equal to the difference between the amount of property

taxes levied by

[D>a<D]

[A>the<A] municipality

[A>and any district located within the

municipality<A] on motor vehicles for the assessment year commencing October 1, 2013, and the amount such levy would have been if the mill rate on motor vehicles for said assessment year was 29.36 mills. [A>Not later than fifteen calendar days after receiving a property tax grant pursuant to this section, the municipality shall disburse to any district located within the municipality the amount of any such property tax grant that is attributable to the district.<A]

(d) For the fiscal [D>year<D] [A>years<A] ending June 30, 2017, [A>and June 30, 2018,<A] each municipality shall receive a municipal revenue sharing grant. The total amount of the grant payable is as follows:

[D>Municipality Grant Amounts<D]

[D>Andover 96,020<D]

[D>Ansonia 643,519<D]

[D>Ashford 125,591<D]

[D>Avon 539,387<D]

[D>Barkhamsted 109,867<D]

[D>Beacon Falls 177,547<D]

[D>Berlin 1,213,548<D]

[D>Bethany 164,574<D]

[D>Bethel 565,146<D]

[D>Bethlehem 61,554<D]

[D>Bloomfield 631,150<D]

[D>Bolton 153,231<D]

[D>Bozrah 77,420<D]

[D>Branford 821,080<D]

[D>Bridgeport 9,758,441<D]

[D>Bridgewater 22,557<D]

[D>Bristol 1,836,944<D]

[D>Brookfield 494,620<D]

[D>Brooklyn 149,576<D]

[D>Burlington 278,524<D]

[D>Canaan 21,294<D]

[D>Canterbury 84,475<D]

[D>Canton 303,842<D]

[D>Chaplin 69,906<D]

[D>Cheshire 855,170<D]

[D>Chester 83,109<D]

[D>Clinton 386,660<D]

[D>Colchester 475,551<D]

[D>Colebrook 42,744<D]

[D>Columbia 160,179<D]

[D>Cornwall 16,221<D]

[D>Coventry 364,100<D]

[D>Cromwell 415,938<D]

[D>Danbury 2,993,644<D]

[D>Darlen 246,849<D]

[D>Deep River 134,627<D]

[D>Derby 400,912<D]

[D>Durham 215,949<D]

[D>East Granby 152,904<D]

[D>East Haddam 268,344<D]

[D>East Hampton 378,798<D]

[D>East Hartford 2,036,894<D]

[D>East Haven 854,319<D]

[D>East Lyme 350,852<D]

[D>East Windsor 334,616<D]

[D>Eastford 33,194<D]

[D>Easton 223,430<D]

[D>Ellington 463,112<D]

[D>Enfield 1,312,766<D]

[D>Essex 107,345<D]

[D>Fairfield 1,144,842<D]

[D>Farmington 482,637<D]

[D>Franklin 37,871<D]

[D>Glastonbury 1,086,151<D]

[D>Goshen 43,596<D]

[D>Granby 352,440<D]

[D>Greenwich 527,695<D]

[D>Griswold 350,840<D]

[D>Groton 623,548<D]

[D>Guilford 657,644<D]

[D>Haddam 245,344<D]

[D>Hamden 2,155,661<D]

[D>Hampton 54,801<D]

[D>Hartford 2,498,643<D]

[D>Hartland 40,254<D]

[D>Harwinton 164,081<D]

[D>Hebron 300,369<D]

[D>Kent 38,590<D]

[D>Killingly 505,562<D]

[D>Killingworth 122,744<D]

[D>Lebanon 214,717<D]

[D>Ledyard 442,811<D]

[D>Lisbon 65,371<D]

[D>Litchfield 244,464<D]

[D>Lyme 31,470<D]

[D>Madison 536,777<D]

[D>Manchester 1,971,540<D]

[D>Mansfield 756,128<D]

[D>Marlborough 188,665<D]

[D>Meriden 1,893,412<D]

[D>Middlebury 222,109<D]

[D>Middlefield 131,529<D]

[D>Middletown 1,388,602<D]

[D>Milford 2,707,412<D]

[D>Monroe 581,867<D]

[D>Montville 578,318<D]

[D>Morris 40,463<D]

[D>Naugatuck 1,251,980<D]

[D>New Britain 3,131,893<D]

[D>New Canaan 241,985<D]

[D>New Fairfield 414,970<D]

[D>New Hartford 202,014<D]

[D>New Haven 114,863<D]

[D>New London 917,228<D]

[D>New Milford 814,597<D]

[D>Newington 937,100<D]

[D>Newtown 824,747<D]

[D>Norfolk 28,993<D]

[D>North Branford 421,072<D]

[D>North Canaan 95,081<D]

[D>North Haven 702,295<D]

[D>North Stonington 155,222<D]

[D>Norwalk 4,896,511<D]

[D>Norwich 1,362,971<D]

[D>Old Lyme 115,080<D]

[D>Old Saybrook 146,146<D]

[D>Orange 409,337<D]

[D>Oxford 246,859<D]

[D>Plainfield 446,742<D]

[D>Plainville 522,783<D]

[D>Plymouth 367,902<D]

[D>Pomfret 78,101<D]

[D>Portland 277,409<D]

[D>Preston 84,835<D]

[D>Prospect 283,717<D]

[D>Putnam 109,975<D]

[D>Redding 273,185<D]

[D>Ridgefield 738,233<D]

[D>Rocky Hill 584,244<D]

[D>Roxbury 23,029<D]

[D>Salem 123,244<D]

[D>Salisbury 29,897<D]

[D>Scotland 52,109<D]

[D>Seymour 494,298<D]

[D>Sharon 28,022<D]

[D>Shelton 1,016,326<D]

[D>Sherman 56,139<D]

[D>Simsbury 775,368<D]

[D>Somers 203,969<D]

[D>South Windsor 804,258<D]

[D>Southbury 582,601<D]

[D>Southington 1,280,877<D]

[D>Sprague 128,769<D]

[D>Stafford 349,930<D]

[D>Stamford 2,914,955<D]

[D>Sterling 110,893<D]

[D>Stonington 292,053<D]

[D>Stratford 1,627,064<D]

[D>Suffield 463,170<D]

[D>Thomaston 228,716<D]

[D>Thompson 164,939<D]

[D>Tolland 437,559<D]

[D>Torrington 1,133,394<D]

[D>Trumbull 1,072,878<D]

[D>Union 24,878<D]

[D>Vernon 922,743<D]

[D>Voluntown 48,818<D]

[D>Wallingford 1,324,296<D]

[D>Warren 15,842<D]

[D>Washington 36,701<D]

[D>Waterbury 5,595,448<D]

[D>Waterford 372,956<D]

[D>Watertown 652,100<D]

[D>West Hartford 2,075,223<D]

[D>West Haven 1,614,877<D]

[D>Westbrook 116,023<D]

[D>Weston 304,282<D]

[D>Westport 377,722<D]

[D>Wethersfield 853,493<D]

[D>Willington 174,995<D]

[D>Wilton 547,338<D]

[D>Winchester 323,087<D]

[D>Windham 739,671<D]

[D>Windsor 854,935<D]

[D>Windsor Locks 368,853<D]

[D>Wolcott 490,659<D]

[D>Woodbridge 274,418<D]

[D>Woodbury 288,147<D]

[D>Woodstock 140,648<D]

[A>Municipality Grant Amounts<A]

[A>Andover 96,020<A]

[A>Ansonia 643,519<A]

[A>Ashford 125,591<A]

[A>Avon 539,387<A]

[A>Barkhamsted 109,867<A]

[A>Beacon Falls 177,547<A]

[A>Berlin 1,213,548<A]

[A>Bethany 164,574<A]

[A>Bethel 565,146<A]

[A>Bethlehem 61,554<A]

[A>Bloomfield 631,150<A]

[A>Bolton 153,231<A]

[A>Bozrah 77,420<A]

[A>Branford 821,080<A]

[A>Bridgeport 9,758,441<A]

[A>Bridgewater 22,557<A]

[A>Bristol 1,836,944<A]

[A>Brookfield 494,620<A]

[A>Brooklyn 149,576<A]

[A>Burlington 278,524<A]

[A>Canaan 21,294<A]

[A>Canterbury 84,475<A]

[A>Canton 303,842<A]

[A>Chaplin 69,906<A]

[A>Cheshire 855,170<A]

[A>Chester 83,109<A]

[A>Clinton 386,660<A]

[A>Colchester 475,551<A]

[A>Colebrook 42,744<A]

[A>Columbia 160,179<A]

[A>Cornwall 16,221<A]
[A>Coventry 364,100<A]
[A>Cromwell 415,938<A]
[A>Danbury 2,993,644<A]
[A>Darlen 246,849<A]
[A>Deep River 134,627<A]
[A>Derby 400,912<A]
[A>Durham 215,949<A]
[A>East Granby 152,904<A]
[A>East Haddam 268,344<A]
[A>East Hampton 378,798<A]
[A>East Hartford 2,036,894<A]
[A>East Haven 854,319<A]
[A>East Lyme 350,852<A]
[A>East Windsor 334,616<A]
[A>Eastford 33,194<A]
[A>Easton 223,430<A]
[A>Ellington 463,112<A]
[A>Enfield 1,312,766<A]
[A>Essex 107,345<A]
[A>Fairfield 1,144,842<A]
[A>Farmington 482,637<A]
[A>Franklin 37,871<A]
[A>Glastonbury 1,086,151<A]
[A>Goshen 43,596<A]

[A>Granby 352,440<A]

[A>Greenwich 527,695<A]

[A>Griswold 350,840<A]

[A>Groton 623,548<A]

[A>Guilford 657,644<A]

[A>Haddam 245,344<A]

[A>Hamden 2,155,661<A]

[A>Hampton 54,801<A]

[A>Hartford 1,498,643<A]

[A>Hartland 40,254<A]

[A>Harwinton 164,081<A]

[A>Hebron 300,369<A]

[A>Kent 38,590<A]

[A>Killingly 505,562<A]

[A>Killingworth 122,744<A]

[A>Lebanon 214,717<A]

[A>Ledyard 442,811<A]

[A>Lisbon 65,371<A]

[A>Litchfield 244,464<A]

[A>Lyme 31,470<A]

[A>Madison 536,777<A]

[A>Manchester 1,971,540<A]

[A>Mansfield 756,128<A]

[A>Marlborough 188,665<A]

[A>Meriden 1,893,412<A]

[A>Middlebury 222,109<A]

[A>Middlefield 131,529<A]

[A>Middletown 1,388,602<A]

[A>Milford 2,707,412<A]

[A>Monroe 581,867<A]

[A>Montville 578,318<A]

[A>Morris 40,463<A]

[A>Naugatuck 1,251,980<A]

[A>New Britain 3,131,893<A]

[A>New Canaan 241,985<A]

[A>New Fairfield 414,970<A]

[A>New Hartford 202,014<A]

[A>New Haven 114,863<A]

[A>New London 917,228<A]

[A>New Milford 814,597<A]

[A>Newington 937,100<A]

[A>Newtown 824,747<A]

[A>Norfolk 28,993<A]

[A>North Branford 421,072<A]

[A>North Canaan 95,081<A]

[A>North Haven 702,295<A]

[A>North Stonington 155,222<A]

[A>Norwalk 4,896,511<A]

[A>Norwich 1,362,971<A]

[A>Old Lyme 115,080<A]

[A>Old Saybrook 146,146<A]

[A>Orange 409,337<A]

[A>Oxford 246,859<A]

[A>Plainfield 446,742<A]

[A>Plainville 522,783<A]

[A>Plymouth 367,902<A]

[A>Pomfret 78,101<A]

[A>Portland 277,409<A]

[A>Preston 84,835<A]

[A>Prospect 283,717<A]

[A>Putnam 109,975<A]

[A>Redding 273,185<A]

[A>Ridgefield 738,233<A]

[A>Rocky Hill 584,244<A]

[A>Roxbury 23,029<A]

[A>Salem 123,244<A]

[A>Salisbury 29,897<A]

[A>Scotland 52,109<A]

[A>Seymour 494,298<A]

[A>Sharon 28,022<A]

[A>Shelton 1,016,326<A]

[A>Sherman 56,139<A]

[A>Simsbury 775,368<A]

[A>Somers 203,969<A]

[A>South Windsor 804,258<A]

[A>Southbury 582,601<A]

[A>Southington 1,280,877<A]

[A>Sprague 128,769<A]

[A>Stafford 349,930<A]

[A>Stamford 3,414,955<A]

[A>Sterling 110,893<A]

[A>Stonington 292,053<A]

[A>Stratford 1,627,064<A]

[A>Suffield 463,170<A]

[A>Thomaston 228,716<A]

[A>Thompson 164,939<A]

[A>Tolland 437,559<A]

[A>Torrington 1,133,394<A]

[A>Trumbull 1,072,878<A]

[A>Union 24,878<A]

[A>Vernon 922,743<A]

[A>Voluntown 48,818<A]

[A>Wallingford 1,324,296<A]

[A>Warren 15,842<A]

[A>Washington 36,701<A]

[A>Waterbury 5,595,448<A]

[A>Waterford 372,956<A]

[A>Watertown 652,100<A]

[A>West Hartford 2,075,223<A]

[A>West Haven 1,614,877<A]

[A>Westbrook 116,023<A]

[A>Weston 304,282<A]

[A>Westport 377,722<A]

[A>Wethersfield 1,353,493<A]

[A>Wilmington 174,995<A]

[A>Wilton 547,338<A]

[A>Winchester 323,087<A]

[A>Windham 739,671<A]

[A>Windsor 854,935<A]

[A>Windsor Locks 368,853<A]

[A>Wolcott 490,659<A]

[A>Woodbridge 274,418<A]

[A>Woodbury 288,147<A]

[A>Woodstock 140,648<A]

(e) For the fiscal year ending June 30, 2017, and each fiscal year thereafter, each regional council of governments shall receive a regional services grant. No such council shall receive a grant for the fiscal year ending June 30, 2018, or any fiscal year thereafter, unless the secretary approves a spending plan for such grant moneys submitted by such council to the secretary on or before July 1, 2017, and annually thereafter. The regional councils of governments shall use such grants for planning purposes and to achieve efficiencies in the delivery of municipal services by regionalizing such services, including, but not limited to, region-wide consolidation of such services. Such efficiencies shall not diminish the quality of such services. A unanimous vote of the representatives of such council shall be required for approval of any expenditure from such grant. On or before October 1, 2017, and biennially thereafter, each such council shall submit a report, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to planning and development and finance, revenue and bonding. Such report shall summarize expenditure of such grants and provide recommendations concerning the expansion, reduction or modification of such grants.

(f) For the fiscal year ending June 30,

[D>2018<D]

[A>2019<A] , and each fiscal year

thereafter, each municipality shall receive a municipal revenue sharing grant as follows:

(1) (A) A municipality having a mill rate at or above twenty-five shall receive the per capita distribution or pro rata distribution, whichever is higher for such municipality.

(B) Such grants shall be increased by a percentage calculated as follows:

Sum of per capita distribution amount

for all municipalities having a mill rate

below twenty-five - pro rata distribution

amount for all municipalities

having a mill rate below twenty-five

Sum of all grants to municipalities

calculated pursuant to subparagraph (A)

of subdivision (1) of this subsection.

(C) Notwithstanding the provisions of subparagraphs (A) and (B) of this subdivision, Hartford shall receive not more than 5.2 per cent of the municipal revenue sharing grants distributed pursuant to this subsection; Bridgeport shall receive not more than 4.5 per cent of the municipal revenue sharing grants distributed pursuant to this subsection; New Haven shall receive not more than 2.0 per cent of the municipal revenue sharing grants distributed pursuant to this subsection and Stamford shall receive not more than 2.8 per cent of the equalization grants distributed pursuant to this subsection. Any excess funds remaining after such reductions in payments to Hartford, Bridgeport, New Haven and Stamford shall be distributed to all other municipalities having a mill rate at or above twenty-five on a pro rata basis according to the payment they receive pursuant to this subdivision; and

(2) A municipality having a mill rate below twenty-five shall receive the per capita distribution or pro rata distribution, whichever is less for such municipality.

(g)

[D>A<D]

[A>Except as provided in subsection (c) of this section, a<A]
municipality may

disburse any municipal revenue sharing grant funds to a district within such municipality.

(h) For the fiscal year ending June 30, 2018, and each fiscal year thereafter, the amount of the grant payable to a municipality in any year in accordance with subsection (f) of this section shall be reduced if

such municipality increases its

general budget expenditures for

[D>any<D]

[A>such<A] fiscal year above a cap equal to the

amount of general budget expenditures authorized for the previous fiscal year by 2.5 per cent or more or the rate of inflation, whichever is greater. Such reduction shall be in an amount equal to fifty cents for every dollar expended over [D>this cap provided for municipalities with a mill rate imposed on motor vehicles of more than 32 mills for the assessment year commencing October 1, 2013, no grant shall be reduced by more than the portion of the grant that exceeds the difference between the amount of property taxes levied by a municipality on motor vehicles for the assessment year commencing October 1, 2013, and the amount such levy would have been if the mill rate on motor vehicles for said assessment year

was 32 mills. Municipal spending shall<D]

[A>the cap set forth in this subsection. For

the purposes of this section, "municipal spending" does<A] not include expenditures for debt service, special education, implementation of court orders or arbitration awards, expenditures associated with a major disaster or emergency declaration by the President of the United States or a disaster emergency declaration issued by the Governor pursuant to chapter 517 or any disbursement made to a district pursuant to subsection [A>(c) or<A] (g) of this section [A>.<A] [D>(1) in the fiscal year ending June 30, 2017, in an amount up to the difference between the amount of property taxes levied by the district on motor vehicles for the assessment year commencing October 1, 2013, and the amount such levy would have been if the mill rate on motor vehicles for said assessment year was 32 mills; or (2) in the fiscal year ending June 30, 2018, and each fiscal year thereafter, in an amount up to the difference between the amount of property taxes levied by the district on motor vehicles for the assessment year commencing October 1, 2013, and the amount such levy would have been if the mill rate on motor vehicles for said assessment year was 29.36 mills.<D] Each municipality shall annually certify to the Secretary of the Office of Policy and Management, on a form prescribed by said secretary, whether such municipality has exceeded the cap set forth in this [D>section<D] [A>subsection<A] and if so the amount by which the cap was exceeded.

(i) The amount of the grant payable to a municipality in any year in accordance with subsection (d) or (f) of this section shall be reduced proportionately in the event that the total of such grants in such year exceeds the amount available for such grants in the municipal revenue sharing account established pursuant to subsection (b) of this section.

Sec. 495. (Effective from passage) For the period commencing upon the effective date of this section

and ending June 30, 2016, each municipality that has received a grant pursuant to section 8-216 of the general statutes in the fiscal year ending June 30, 2015, shall waive any payment required pursuant to section 8-71 of the general statutes, except that no waiver shall be required in any case where funds are made available for such payment by an agency or department of the United States government.

Sec. 496. Section 56 of public act 15-244 is amended to read as follows (Effective July 1, 2015):

The appropriations in section 1 of

[D>this act<D]

[A>public act 15-244<A] are supported by

the GENERAL FUND revenue estimates as follows:

2015-2016 2016-2017

TAXES

Personal Income

[D>\$ 9,921,400,000<D]

[A>9,834,400,000<A]

[D>\$ 10,432,200,000<D]

[A> 10,357,200,000<A]

Sales and Use

[D>4,144,265,000<D]

[A>4,121,065,000<A]

[D>4,118,665,000<D]

[A> 4,084,665,000<A]

Corporations

[D>925,900,000<D]

[A>902,200,000<A] 910,700,000

Public Service 308,000,000 316,500,000

Inheritance and Estate 173,400,000 174,700,000

Insurance Companies 243,800,000 246,000,000

Cigarettes

[D>336,700,000<D]

[A>361,200,000<A]

[D>320,500,000<D]

[A> 363,300,000<A]

Real Estate Conveyance 194,700,000 200,800,000

Oil Companies - -

Alcoholic Beverages 61,700,000 62,100,000

Admissions and Dues 38,300,000 39,600,000

Health Provider Tax 676,900,000 683,900,000

Miscellaneous 20,800,000 21,300,000

TOTAL TAXES

[D>17,045,865,000<D]

[A>16,936,465,000<A]

[D>17,526,965,000<D]

[A> 17,460,765,000<A]

Refunds of Taxes

[D>(1,129,400,000)<D]

[A>(1,090,400,000)<A]

[D>(1,178,100,000)<D]

[A>(1,103,100,000)<A]

Earned Income Tax Credit (127,400,000) (133,900,000)

R & D Credit Exchange (7,100,000) (7,400,000)

NET GENERAL FUND REVENUE

[D>15,781,965,000<D]

[A>15,711,565,000<A]

[D>16,207,565,000<D]

[A>16,216,365,000<A]

OTHER REVENUE

Transfers-Special Revenue \$ 343,400,000 \$ 369,300,000

Indian Gaming Payments 258,800,000 252,400,000

Licenses, Permits, Fees 308,512,500 290,775,000

Sales of Commodities and Services 38,000,000 39,100,000

Rents, Fines and Escheats 126,000,000 128,000,000

Investment Income 2,500,000 5,600,000

Miscellaneous 171,300,000 173,400,000

Refunds of Payments (74,200,000) (75,100,000)

NET TOTAL OTHER REVENUE 1,174,312,500 1,183,475,000

OTHER SOURCES

Federal Grants \$ 1,265,229,970 \$ 1,252,686,722

Transfer From Tobacco Settlement 106,600,000 104,500,000

Transfers To/From Other Funds

[D>(150,150,000)<D]

[A>(95,350,000)<A]

[D>(9,100,000)<D]

[A>(43,400,000)<A]

Transfer to Resources of the STF - -

TOTAL OTHER SOURCES

[D>1,221,679,970<D]

[A>1,276,479,970<A]

[D>1,348,086,722<D]

[A> 1,313,786,722<A]

TOTAL GENERAL FUND REVENUE

[D>18,177,957,470<D]

[A>18,162,357,470<A]

[D>18,739,126,722<D]

[A>18,713,626,722<A]

Sec. 497. Section 57 of public act 15-244 is amended to read as follows (Effective July 1, 2015):

The appropriations in section 2 of

[D>this act<D]

[A>public act 15-244<A] are supported by

the SPECIAL TRANSPORTATION FUND revenue estimates as follows:

2015-2016 2016-2017

TAXES

Motor Fuels \$ 499,000,000 \$ 502,300,000

Oil Companies 339,100,000 359,700,000

[A>Sales and Use Tax 158,600,000 260,600,000<A]

Sales Tax DMV

[D>242,600,000<D]

[A>84,000,000<A]

[D>361,900,000<D]

[A> 85,000,000<A]

Refund of Taxes (7,300,000) (7,500,000)

TOTAL TAXES 1,073,400,000

[D>1,216,400,000<D]

[A>1,200,100,000<A]

OTHER SOURCES

Motor Vehicle Receipts 245,800,000 246,600,000

Licenses, Permits, Fees 139,300,000 139,900,000

Interest Income 7,700,000 8,500,000

Federal Grants 12,100,000 12,100,000

Transfers To Other Funds (6,500,000) (6,500,000)

Transfers from the Resources of the Special Transportation Fund - -

Refunds of Payments (3,700,000) (3,800,000)

NET TOTAL OTHER SOURCES 394,700,000 396,800,000

TOTAL SPECIAL TRANSPORTATION FUND REVENUE 1,468,100,000 [D>1,613,200,000<D]

[A>1,596,900,000<A]

Sec. 498. (NEW) (Effective from passage) (a) There is established a Commission on Economic Competitiveness to analyze the implications of state tax policy on state business and industry and to develop policies that promote economic growth. In addition, the commission shall: (1) Examine and report on the implications of the tax revisions set forth in public act 15-244, as amended by this act, on state business and industry; (2) examine the needs of large and small state businesses and industries as relates to their ability to maintain economic competitiveness; and (3) offer legislative recommendations that promote the growth and prosperity of state business and industry, including, but not limited to, recommendations relating to state tax policy.

(b) The commission shall consist of the following members:

(1) Three appointed by the speaker of the House of Representatives, one of whom shall be an executive at a publicly traded corporation;

(2) Three appointed by the president pro tempore of the Senate, one of whom shall be an attorney;

(3) One appointed by the majority leader of the House of Representatives, who shall be a member of an employee advocacy group;

(4) One appointed by the majority leader of the Senate, who shall be an economist;

(5) One appointed by the minority leader of the House of Representatives, who shall be a representative of a major corporation that has its headquarters in the state;

(6) One appointed by the minority leader of the Senate, who shall be the owner of a small business based in the state;

(7) The Commissioner of Revenue Services, or the commissioner's designee;

(8) The Commissioner of Economic and Community Development, or the commissioner's designee; and

(9) A representative of the Connecticut Business and Industry Association, who shall be appointed by the president of said association.

(c) Any member of the commission appointed under subdivision (1), (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member of the General Assembly.

(d) All appointments to the commission shall be made not later than August 1, 2015. Appointments shall be for two-year terms. Any vacancy shall be filled by the appointing authority.

(e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the commission from among the members of the commission. Such chairpersons shall schedule the first meeting of the commission, which shall be held not later than sixty days after the effective date of this section. Thereafter, the commission shall meet at such times as deemed necessary by the chairpersons or a majority of commission members.

(f) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to finance shall serve as administrative staff of the commission.

(g) Not later than January 1, 2016, the commission shall submit a report on its findings and recommendations based on the examination conducted pursuant to subdivision (1) of subsection (a) of this section to the joint standing committees of the General Assembly having cognizance of matters relating to finance and commerce, in accordance with the provisions of section 11-4a of the general statutes. Not later than January 1, 2017, and annually thereafter, the commission shall submit a report

on its activities to the joint standing committees of the General Assembly having cognizance of matters relating to finance and commerce, in accordance with the provisions of section 11-4a of the general statutes.

Sec. 499. (Effective July 1, 2015) For the fiscal year ending June 30, 2016, two hundred fifty thousand dollars of the Department of Public Health's Other Expenses account shall be made available to the Connecticut Umbilical Cord Blood Collection Board for the purpose of deposit in the Umbilical Cord Blood Collection account as established in 19a-32t of the general statutes.

Sec. 500. (Effective July 1, 2015) Notwithstanding the provisions of subparagraph (B) of subdivision (72) of section 12-81 of the general statutes, any person otherwise eligible for a 2014 grand list exemption pursuant to said subdivision (72) in the town of Milford, except that such person failed to file the required exemption application within the time period prescribed, shall be regarded as having filed said application in a timely manner if such person files said application not later than thirty days after the effective date of this section, and pays the late filing fee pursuant to section 12-81k of the general statutes. Upon confirmation of the receipt of such fee and verification of the exemption eligibility of the machinery and equipment included in such application, the assessor shall approve the exemption for such property. If taxes have been paid on the property for which such exemption is approved, the town of Milford shall reimburse such person in an amount equal to the amount by which such taxes exceed the taxes payable if the application had been filed in a timely manner.

Sec. 501. (Effective from passage) The food service kiosk located on the third floor of the Legislative Office Building shall be named the "First in Flight Cafe" to honor the first powered flight by Gustave Whitehead and to commemorate the Connecticut aviation and aerospace industry.

Sec. 502. Section 8-64a of the general statutes is repealed and the following is substituted in lieu thereof (Effective from passage):

No housing authority that receives or has received any state financial assistance may sell, lease, transfer or destroy, or contract to sell, lease, transfer or destroy, any housing project or portion thereof in any case where such project or portion thereof would no longer be available for the purpose of low or moderate income rental housing as a result of such sale, lease, transfer or destruction, except the Commissioner of Housing may grant written approval for the sale, lease, transfer or destruction of a housing project if the commissioner finds, after a public hearing, that (1) the sale, lease, transfer or destruction is in the best interest of the state and the municipality in which the project is located, (2) an adequate supply of low or moderate income rental housing exists in the municipality in which the project is located, (3) the housing authority has developed a plan for the sale, lease, transfer or destruction of such project in consultation with the residents of such project and representatives of the municipality in which such project is situated and has made adequate provision for said residents' and representatives' participation in such plan, and (4) any person who is displaced as a result of the sale, lease, transfer or destruction will be relocated to a comparable dwelling unit of public or subsidized housing in the same municipality or will receive a tenant-based rental subsidy and will receive relocation assistance under

chapter 135. The commissioner shall consider the extent to which the housing units that are to be sold, leased, transferred or destroyed will be replaced in ways that may include, but need not be limited to, newly constructed housing, rehabilitation of housing that is abandoned or has been vacant for at least one year, or new federal, state or local tenant-based or project-based rental subsidies. The commissioner shall give the residents of the housing project or portion thereof that is to be sold, leased, transferred or destroyed written notice of said public hearing by first class mail not less than ninety days before the date of the hearing. Said written approval shall contain a statement of facts supporting the findings of the commissioner. This section shall not apply to the sale, lease, transfer or destruction of a housing project pursuant to the terms of any contract entered into before June 3, 1988. The commissioner shall not impose a one-for-one replacement requirement on King Court in East Hartford. This section shall not apply to phase I of Father Panik Village in Bridgeport, Elm Haven in New Haven, Pequonnock Gardens Project in Bridgeport, Evergreen Apartments in Bridgeport, Quinnipiac Terrace/Riverview in New Haven, Dutch Point in Hartford, William V. Begg Apartments in Waterbury, Southfield Village in Stamford [A>, Marina Village in Bridgeport<A] and, upon approval by the United States Department of Housing and Urban Development of a HOPE VI revitalization application and a revitalization plan that includes at least the one-for-one replacement of low and moderate income units, Fairfield Court in Stamford.

Sec. 503. Subsections (a) to (c), inclusive, of section 38a-1083 of the general statutes are repealed and the following is substituted in lieu thereof (Effective from passage):

(a) For purposes of sections 38a-1080 to 38a-1091, to sections 38a-1080 to 38a-1091, inclusive, [A>as amended by this act,<A] "purposes of the exchange" means the purposes of [A>and the pursuit of the goals of<A] the exchange expressed in and pursuant to this section [A>and the performance of the duties and responsibilities of the exchange set forth in sections 38a-1084 to 38a-1087, to sections 38a-1084 to 38a-1087, inclusive<A] , which are hereby determined to be public purposes for which public funds may be expended. The powers enumerated in this section shall be interpreted broadly to effectuate the purposes of the exchange and shall not be construed as a limitation of powers.

(b) The goals of the exchange shall be to reduce the number of individuals without health insurance in this state and assist individuals and small employers in the procurement of health insurance by, among other services, offering easily comparable and understandable information about health insurance options.

(c) The exchange is authorized and empowered to:

(1) Have perpetual

[D>successions<D]

[A>succession<A] as a body politic and corporate and

to adopt bylaws for the regulation of its affairs and the conduct of its business;

- (2) Adopt an official seal and alter the same at pleasure;
- (3) Maintain an office in the state at such place or places as it may designate;
- (4) Employ such assistants, agents, managers and other employees as may be necessary or desirable;
- (5) Acquire, lease, purchase, own, manage, hold and dispose of real and personal property, and lease, convey or deal in or enter into agreements with respect to such property on any terms necessary or incidental to the carrying out of these purposes, provided all such acquisitions of real property for the exchange's own use with amounts appropriated by this state to the exchange or with the proceeds of bonds supported by the full faith and credit of this state shall be subject to the approval of the Secretary of the Office of Policy and Management and the provisions of section 4b-23;
- (6) Receive and accept, from any source, aid or contributions, including money, property, labor and other things of value;
- (7) Charge assessments or user fees to health carriers that are capable of offering a qualified health plan through the exchange or otherwise generate funding necessary to support the operations of the exchange and impose interest and penalties on such health carriers for delinquent payments of such assessments or fees;
- (8) Procure insurance against loss in connection with its property and other assets in such amounts and from such insurers as it deems desirable;
- (9) Invest any funds not needed for immediate use or disbursement in obligations issued or guaranteed by the United States of America or the state and in obligations that are legal investments for savings banks in the state;
- (10) Issue bonds, bond anticipation notes and other obligations of the exchange for any of its corporate purposes, and to fund or refund the same and provide for the rights of the holders thereof, and to secure the same by pledge of revenues, notes and mortgages of others;
- (11) Borrow money for the purpose of obtaining working capital;
- (12) Account for and audit funds of the exchange and any recipients of funds from the exchange;
- (13) Make and enter into any contract or agreement necessary or incidental to the performance of its duties and execution of its powers. The contracts entered into by the exchange shall not be subject to the approval of any other state department, office or agency, provided copies of all contracts of the exchange shall be maintained by the exchange as public records, subject to the proprietary rights of any party to the contract;
- (14) To the extent permitted under its contract with other persons, consent to any termination, modification, forgiveness or other change of any term of any contractual right, payment, royalty, contract or agreement of any kind to which the exchange is a party;

(15) Award grants to trained and certified individuals and institutions that will assist individuals, families and small employers and their employees in enrolling in appropriate coverage through the exchange. Applications for grants from the exchange shall be made on a form prescribed by the board;

(16) Limit the number of plans offered, and use selective criteria in determining which plans to offer, through the exchange, provided individuals and employers have an adequate number and selection of choices;

(17) Evaluate jointly with the Sustinet Health Care Cabinet the feasibility of implementing a basic health program option as set forth in Section 1331 of the Affordable Care Act;

[A>(18) Establish one or more subsidiaries, in accordance with section 504 of this act, to further the purposes of the exchange;<A]

[A>(19) Make loans to each subsidiary established pursuant to section 504 of this act from the assets of the exchange and the proceeds of bonds, bond anticipation notes and other obligations issued by the exchange or assign or transfer to such subsidiary any of the rights, moneys or other assets of the exchange, provided such assignment or transfer is not in violation of state or federal law;<A]

[D>(18)<D]

[A>(20)<A] Sue and be sued, plead and be impleaded;

[D>(19)<D]

[A>(21)<A] Adopt regular procedures that are not in conflict with other provisions of the general statutes, for exercising the power of the exchange; and

[D>(20)<D]

[A>(22)<A] Do all acts and things necessary and convenient to carry out the

purposes of the exchange, provided such acts or things shall not conflict with the provisions of the Affordable Care Act, regulations adopted thereunder or federal guidance issued pursuant to the Affordable Care Act.

Sec. 504. (NEW) (Effective from passage) (a) The exchange may establish one or more subsidiaries for such purposes as prescribed by resolution of the board of directors of the exchange, which purposes shall be consistent with the purposes of the exchange, provided no subsidiary shall be established for the purpose of providing insurance broker services, except dental or vision services, as necessary. Each

subsidiary shall be deemed a quasi-public agency for the purposes of chapter 12 of the general statutes and shall have all the privileges, immunities, tax exemptions and other exemptions of the exchange. Any such subsidiary shall be subject to the provisions of chapter 14 of the general statutes and any board member or employee of such subsidiary shall be subject to the provisions of chapter 10 of the general statutes. Any such subsidiary may be organized as a stock or nonstock corporation or a limited liability company.

(b) Each subsidiary shall have and may exercise the powers of the exchange and such additional powers as are set forth in such resolution, except the powers of the exchange set forth in subdivisions (7), (12), (15), (16), (17) and (21) of subsection (c) of section 38a-1083 of the general statutes, as amended by this act, shall be reserved to the exchange and shall not be exercisable by any subsidiary of the exchange.

(c) (1) Each subsidiary shall act through a board of directors, at least one-half of which shall be members of the board of directors of the exchange or their designees or officers or employees of the exchange. The provisions of subdivision (2) of subsection (b) of section 38a-1081 of the general statutes and subdivisions (7) and (9) of subsection (c) of section 38a-1081 of the general statutes shall apply to each member of the board of directors of a subsidiary who is not a member of the board of directors of the exchange, an officer of the exchange or an employee of the exchange.

(2) The provisions of section 1-125 of the general statutes shall apply to any member of the board of directors of a subsidiary established under this section. Any such member shall not be personally liable for the debts, obligations or liabilities of any such subsidiary as provided in section 1-125 of the general statutes. Any such subsidiary shall, and the exchange may, save harmless and indemnify any such member as provided in section 1-125 of the general statutes.

(d) (1) Each subsidiary shall be subject to suit, provided its liability shall be limited solely to the assets, revenues and resources of such subsidiary and without recourse to the general funds, revenues or resources or any other assets of the exchange.

(2) Each subsidiary may convey or dispose of its assets and pledge its revenues to secure any borrowing, provided any such borrowing shall be a special obligation of the subsidiary and shall be payable solely from the assets, revenues and resources of the subsidiary.

(3) Each subsidiary or the exchange may take any action necessary to comply with the provisions of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time, to qualify and maintain any subsidiary as a corporation exempt from taxation under said code.

Sec. 505. Section 38a-1080 of the general statutes, as amended by section 60 of public act 15-118, is repealed and the following is substituted in lieu thereof (Effective from passage):

For purposes of sections 38a-1080 to

[D>38a-1091<D]

[A>38a-1092<A] , inclusive, as amended
by

[D>this act<D]

[A>public act 15-118, and section 504 of this act<A] :

(1) "Board" means the board of directors of the Connecticut Health Insurance Exchange;

(2) "Commissioner" means the Insurance Commissioner;

(3) "Exchange" means the Connecticut Health Insurance Exchange established

pursuant to section 38a-1081, as amended by

[D>this act<D]

[A>public act 15-118<A] ;

(4) "Affordable Care Act" means the Patient Protection and Affordable Care Act, P. L. 111-148, as amended by the Health Care and Education Reconciliation Act, P. L. 111-152, as both may be amended from time to time, and regulations adopted thereunder;

(5) (A) "Health benefit plan" means an insurance policy or contract offered, delivered, issued for delivery, renewed, amended or continued in the state by a health carrier to provide, deliver, pay for or reimburse any of the costs of health care services.

(B) "Health benefit plan" does not include:

(i) Coverage of the type specified in subdivisions (5), (6), (7), (8), (9), (14), (15) and (16) of section 38a-469 or any combination thereof;

(ii) Coverage issued as a supplement to liability insurance;

(iii) Liability insurance, including general liability insurance and automobile liability insurance;

(iv) Workers' compensation insurance;

(v) Automobile medical payment insurance;

(vi) Credit insurance;

(vii) Coverage for on-site medical clinics; or

(viii) Other similar insurance coverage specified in regulations issued pursuant to the Health Insurance Portability and Accountability Act of 1996, P. L. 104-191, as amended from time to time, under which benefits for health care services are secondary or incidental to other insurance benefits.

(C) "Health benefit plan" does not include the following benefits if they are provided under a separate

insurance policy, certificate or contract or are otherwise not an integral part of the plan:

(i) Limited scope dental or vision benefits;

(ii) Benefits for long-term care, nursing home care, home health care, community-based care or any combination thereof; or

(iii) Other similar, limited benefits specified in regulations issued pursuant to the Health Insurance Portability and Accountability Act of 1996, P. L. 104-191, as amended from time to time;

(iv) Other supplemental coverage, similar to coverage of the type specified in subdivisions (9) and (14) of section 38a-469, provided under a group health plan.

(D) "Health benefit plan" does not include coverage of the type specified in subdivisions (3) and (13) of section 38a-469 or other fixed indemnity insurance if (i) such coverage is provided under a separate insurance policy, certificate or contract, (ii) there is no coordination between the provision of the benefits and any exclusion of benefits under any group health plan maintained by the same plan sponsor, and (iii) the benefits are paid with respect to an event without regard to whether benefits were also provided under any group health plan maintained by the same plan sponsor;

(6) "Health care services" has the same meaning as provided in section 38a-478, as

amended by

[D>this act<D]

[A>public act 15-118<A] ;

(7) "Health carrier" means an insurance company, fraternal benefit society, hospital service corporation, medical service corporation, health care center or other entity subject to the insurance laws and regulations of the state or the jurisdiction of the commissioner that contracts or offers to contract to provide, deliver, pay for or reimburse any of the costs of health care services;

(8) "Internal Revenue Code" means the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time;

(9) "Person" has the same meaning as provided in section 38a-1;

(10) "Qualified dental plan" means a limited scope dental plan that has been certified in accordance with subsection (e) of section 38a-1086;

(11) "Qualified employer" has the same meaning as provided in Section 1312 of the Affordable Care Act;

(12) "Qualified health plan" means a health benefit plan that has in effect a certification that the plan meets the criteria for certification described in Section 1311(c) of the Affordable Care Act and section 38a-1086;

(13) "Qualified individual" has the same meaning as provided in Section 1312 of the Affordable Care Act;

(14) "Secretary" means the Secretary of the United States Department of Health and Human Services;

(15) "Small employer" has the same meaning as provided in section 38a-564, as

amended by

[D>this act<D]

[A>public act 15-118<A] .

Sec. 506. Section 19a-55 of the general statutes, as amended by section 1 of public act 15-10 and section 49 of public act 15-242, is repealed and the following is substituted in lieu thereof (Effective October 1, 2015):

(a) The administrative officer or other person in charge of each institution caring for newborn infants shall cause to have administered to every such infant in its care an HIV-related test, as defined in section 19a-581, a test for phenylketonuria and other metabolic diseases, hypothyroidism, galactosemia, sickle cell disease, maple syrup urine disease, homocystinuria, biotinidase deficiency, congenital adrenal hyperplasia and such other tests for inborn errors of metabolism as shall be prescribed by the Department of Public Health. The tests shall be administered as soon after birth as is medically appropriate. If the mother has had an HIV-related test pursuant to section 19a-90 or 19a-593, the person responsible for testing under this section may omit an HIV-related test. The Commissioner of Public Health shall (1) administer the newborn screening program, (2) direct persons identified through the screening program to appropriate specialty centers for treatments, consistent with any applicable confidentiality requirements, and (3) set the fees to be charged to institutions to cover all expenses of the comprehensive screening program including testing, tracking and treatment. The fees to be charged pursuant to subdivision (3) of this subsection shall be set at a minimum of fifty-six dollars. The Commissioner of Public Health shall publish a list of all the abnormal conditions for which the department screens newborns under the newborn screening program, which shall include screening for amino acid disorders, organic acid disorders and fatty acid oxidation disorders, including, but not limited to, long-chain 3-hydroxyacyl CoA dehydrogenase (L-CHAD) and medium-chain acyl-CoA dehydrogenase (MCAD).

(b) In addition to the testing requirements prescribed in subsection (a) of this section, the administrative officer or other person in charge of each institution caring for newborn infants shall cause to have administered to (1) every such infant in its care a screening test for (A) cystic fibrosis, (B) severe combined immunodeficiency disease, and (C) critical congenital heart disease, and (2) any newborn infant who fails a newborn hearing screening, as described in section 19a-59, a screening test for cytomegalovirus, provided such screening test shall be administered within available appropriations on and after January 1, 2016. Such screening tests shall be administered as soon after birth as is medically appropriate.

[D>(c) On and after the occurrence of the following: (1) The development and validation of a reliable methodology for screening newborns for adrenoleukodystrophy using dried blood spots and quality assurance testing methodology for such test or the approval of a test for adrenoleukodystrophy using dried blood spots by the federal Food and Drug Administration; and (2) the availability of any necessary reagents for such test, the administrative officer or other person in charge of each institution caring for newborn infants shall cause to have administered to every such infant in its care a test for adrenoleukodystrophy.<D]

[A>(c) On or before October 1, 2015, the Commissioner of Public Health shall execute an agreement with the New York State Department of Health to conduct a screening test of newborns for adrenoleukodystrophy using dried blood spots, as well as the development of a quality assurance testing methodology for such test. The commissioner may accept private grants and donations to defray the cost of purchasing equipment that is necessary to perform the testing described in this subsection.<A]

(d) The administrative officer or other person in charge of each institution caring for newborn infants shall report any case of cytomegalovirus that is confirmed as a result of a screening test administered pursuant to subdivision (2) of subsection (b) of this section to the Department of Public Health in a form and manner prescribed by the Commissioner of Public Health.

(e) The provisions of this section shall not apply to any infant whose parents object to the test or treatment as being in conflict with their religious tenets and practice. The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section.

Sec. 507. (Effective July 1, 2016) Up to \$ 100,000 of the amount appropriated in section 1 of public act 15-244, as amended by this act, to the Department of Public Health, for Other Expenses, for the fiscal year ending June 30, 2016, shall be made available for said fiscal year for the purpose of conducting a screening test of newborns for adrenoleukodystrophy in accordance with subsection (c) of section 19a-55 of the general statutes, as amended by this act.

Sec. 508. (NEW) (Effective July 1, 2016) (a) For purposes of this section, "police officer", "certification" and "law enforcement unit" have the same meanings as provided in section 7-294a of the general statutes and "cost of certification" means the cost of training, equipment, uniforms, salary and fringe benefits and any cost related to the entry level requirements established by the Police Officer Standards and Training Council associated with the police officer, except that "cost of certification" does not include the cost of any equipment or uniforms that were returned by such officer.

(b) Whenever a police officer obtains certification while employed by a law enforcement unit and is subsequently hired by another law enforcement unit on or after the effective date of this section and within two years of such officer obtaining such certification, the law enforcement unit hiring the police officer shall reimburse the initial law enforcement unit fifty per cent of the total cost of certification. The provisions of this section shall not apply to a law enforcement unit that hires a police officer two years or more after such officer obtains certification.

(c) Nothing in this section shall be construed to affect an agreement between a police officer or a collective bargaining unit and a law enforcement unit entered into prior to the effective date of this section that provides for the reimbursement of the cost of certification.

Sec. 509. (Effective July 1, 2015) The sum of \$ 100,000 appropriated in section 1 of public act 13-247, as amended by public act 14-47, to the Military Department, for Veteran's Service Bonuses, for the fiscal year ending June 30, 2015, shall not lapse on June 30, 2015, and such funds shall be carried forward and transferred to Honor Guards to be made available for such purpose as follows: \$ 50,000 for the fiscal year ending June 30, 2016, and \$ 50,000 for the fiscal year ending June 30, 2017.

Sec. 510. Subsection (d) of section 9 of public act 12-189, as amended by section 230 of public act 15-1 of the June special session, is amended to read as follows (Effective July 1, 2015):

For the Department of Public Health: Grants-in-aid to community health centers and primary care organizations for the purchase of equipment, renovations, improvements and expansion of facilities, including acquisition of land or buildings, not exceeding \$ 30,000,000, provided up to \$ 15,000,000 shall be made available to member centers affiliated with the Community Health Center Association of Connecticut [A>, and up to \$13,000,000 shall be made available to Community Health Center, Incorporated, and up to \$2,000,000 shall be made available to either Community Health Center Association of Connecticut or Community Health Center, Incorporated, on the basis of competitive bids submitted by such association or center. Nothing in this subsection shall be construed to affect any project made available to member centers affiliated with the Community Health Center Association of Connecticut<A] .

Sec. 511. Section 10-262j of the general statutes, as amended by section 1 of public act 15-99 and section 19 of public act 15-215, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(a) Except as otherwise provided under the provisions of subsections (c) to (e), inclusive, of this section, for the fiscal year ending June 30, 2016, the budgeted appropriation for education shall be not less than the budgeted appropriation for education for the fiscal year ending June 30, 2015, plus any aid increase described in subsection (d) of section 10-262i, except that a town may reduce its budgeted appropriation for education for the fiscal year ending June 30, 2016, by one or more of the following:

(1) Any district with (A) a resident student population in which the number of students who are eligible for free or reduced price lunches pursuant to federal law and regulations is equal to or greater than twenty per cent, and (B) a resident student count for October 1, 2014, using the data of record as of January 31, 2015, that is lower than such district's resident student count for October 1, 2013, using the data of record as of January 31, 2015, may reduce such district's budgeted appropriation for education by the difference in the number of resident students for such years multiplied by fifty per cent of the net current expenditures per resident student of such district, provided such reduction shall not exceed one and one-half per cent of the district's budgeted appropriation for education for the fiscal year ending June 30,

2015, except that the Commissioner of Education may, following a review of a town's proposed reductions to its budgeted appropriation for education, permit a town to reduce its budgeted appropriation for education in an amount greater than one and one-half per cent if the board of education for such town has approved, by vote at a meeting duly called, such proposed reductions;

(2) Any district with (A) a resident student population in which the number of students who are eligible for free or reduced price lunches pursuant to federal law and regulations is less than twenty per cent, and (B) a resident student count for October 1, 2014, using the data of record as of January 31, 2015, that is lower than such district's resident student count for October 1, 2013, using the data of record as of January 31, 2015, may reduce such district's budgeted appropriation for education by the difference in the number of resident students for such years multiplied by fifty per cent of the net current expenditures per resident student of such district, provided such reduction shall not exceed three per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2015, except that the Commissioner of Education may, following a review of a town's proposed reductions to its budgeted appropriation for education, permit a town to reduce its budgeted appropriation for education in an amount greater than three per cent if the board of education for such town has approved, by vote at a meeting duly called, such proposed reductions;

(3) Any district (A) that does not maintain a high school and pays tuition to another school district pursuant to section 10-33 for resident students to attend high school in another district, and (B) in which the number of resident students attending high school for such district for October 1, 2014, using the data of record as of January 31, 2015, is lower than such district's number of resident students attending high school for October 1, 2013, using the data of record as of January 31, 2015, may reduce such district's budgeted appropriation for education by the difference in the number of resident students attending high school for such years multiplied by the amount of tuition paid per student pursuant to section 10-33; or

(4) Any district that realizes new and documentable savings through increased district efficiencies approved by the Commissioner of Education or through regional collaboration or cooperative arrangements pursuant to section 10-158a may reduce such district's budgeted appropriation for education in an amount equal to half of the amount of savings experienced as a result of such district efficiencies, regional collaboration or cooperative arrangement, provided such reduction shall not exceed one-half of one per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2015.

(b) Except as otherwise provided under the provisions of subsections (c) to (e), inclusive, of this section, for the fiscal year ending June 30, 2017, the budgeted appropriation for education shall be not less than the budgeted appropriation for education for the fiscal year ending June 30, 2016, plus any aid increase received pursuant to subsection (d) of section 10-262i, except that a town may reduce its budgeted appropriation for education for the fiscal year ending June 30, 2017, by one or more of the following:

(1) Any district with (A) a resident student population in which the number of students who are eligible for

free or reduced price lunches pursuant to federal law and regulations is equal to or greater than twenty per cent, and (B) a resident student count for October 1, 2015, using the data of record as of January 31, 2016, that is lower than such district's resident student count for October 1, 2014, using the data of record as of January 31, 2016, may reduce such district's budgeted appropriation for education by the difference in the number of resident students for such years multiplied by fifty per cent of the net current expenditures per resident student of such district, provided such reduction shall not exceed one and one-half per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2016, except that the Commissioner of Education may, following a review of a town's proposed reductions to its budgeted appropriation for education, permit a town to reduce its budgeted appropriation for education in an amount greater than one and one-half per cent if the board of education for such town has approved, by vote at a meeting duly called, such proposed reductions;

(2) Any district with (A) a resident student population in which the number of students who are eligible for free or reduced price lunches pursuant to federal law and regulations is less than twenty per cent, and (B) a resident student count for October 1, 2015, using the data of record as of January 31, 2016, that is lower than such district's resident student count for October 1, 2014, using the data of record as of January 31, 2016, may reduce such district's budgeted appropriation for education by the difference in the number of resident students for such years multiplied by fifty per cent of the net current expenditures per resident student, as defined in subdivision (45) of section 10-262f of such district, provided such reduction shall not exceed three per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2016, except that the Commissioner of Education may, following a review of a town's proposed reductions to its budgeted appropriation for education, permit a town to reduce its budgeted appropriation for education in an amount greater than three per cent if the board of education for such town has approved, by vote at a meeting duly called, such proposed reductions;

(3) Any district (A) that does not maintain a high school and pays tuition to another school district pursuant to section 10-33 for resident students to attend high school in another district, and (B) in which the number of resident students attending high school for such district for October 1, 2015, using the data of record as of January 31, 2016, is lower than such district's number of resident students attending high school for October 1, 2014, using the data of record as of January 31, 2016, may reduce such district's budgeted appropriation for education by the difference in the number of resident students attending high school for such years multiplied by the amount of tuition paid per student pursuant to section 10-33; or

(4) Any district that realizes new and documentable savings through increased district efficiencies approved by the Commissioner of Education or through regional collaboration or cooperative arrangements pursuant to section 10-158a may reduce such district's budgeted appropriation for education in an amount equal to half of the amount of savings experienced as a result of such district efficiencies, regional collaboration or cooperative arrangement, provided such reduction shall not exceed one-half of one per cent of the district's budgeted appropriation for education for the fiscal year ending June 30, 2015.

(c) For the fiscal years ending June 30, 2016, and June 30, 2017, the Commissioner of Education may permit a town to reduce its budgeted appropriation for education in an amount determined by the commissioner if the school district in such town has permanently ceased operations and closed one or more schools in the school district due to declining enrollment at such closed school or schools in the fiscal years ending June 30, 2013, to June 30, 2016, inclusive.

(d) For the fiscal years ending June 30, 2016, and June 30, 2017, a town[A>currently<A] designated as an alliance district, as defined in section 10-262u, [A>or formerly designated as an alliance district<A] shall not reduce its budgeted appropriation for education pursuant to this section.

(e) For the fiscal years ending June 30, 2016, and June 30, 2017, the provisions of this section shall not apply to any district that is in the top ten per cent of school districts based on the district performance index, as defined in section 10-262u.

(f) For the fiscal years ending June 30, 2016, and June 30, 2017, the provisions of this section shall not apply to the member towns of a regional school district during the first full fiscal year following the establishment of the regional school district, provided the budgeted appropriation for education for member towns of such regional school district for each subsequent fiscal year shall be determined in accordance with this section.

Sec. 512. Subparagraph (C) of subdivision (5) of section 12-412 of the general statutes, as amended by section 77 of public act 15-244, is repealed and the following is substituted in lieu thereof (Effective July 1, 2015):

(C) [D>For the fiscal years ending June 30, 2015, to June 30, 2017, inclusive, the<D] [A>The<A] sales of tangible personal property or services to and by an acute care hospital, operating as a sole community hospital in this state for the exclusive purposes of such sole community hospital. For purposes of this subparagraph, "sole community hospital" has the same meaning as "sole community hospital", as described in 42 CFR 412. 92, as amended from time to time.

Sec. 513. Section 14-211a of the general statutes is repealed. (Effective from passage)

Sec. 514. Section 76 of public act 13-277 is repealed. (Effective from passage)

Sec. 515. Section 3 of public act 15-226 is repealed. (Effective from passage)

Sec. 516. Section 76 of public act 15-244 is repealed. (Effective from passage)

Sec. 517. Section 217 of public act 15-244 is repealed. (Effective June 30, 2015)

Sec. 518. Section 4-84 of the general statutes is repealed. (Effective July 1, 2015)

Sec. 519. Sections 13b-51a and 32-435 of the general statutes are repealed. (Effective July 1, 2015)

Sec. 520. Sections 17b-278h and 19a-490t of the general statutes are repealed. (Effective July 1, 2015)

Sec. 521. Section 1 of public act 15-81 is repealed. (Effective July 1, 2015)

Sec. 522. Sections 45a-106 and 45a-108 of the general statutes are repealed. (Effective January 1, 2016)

Sec. 523. Sections 13b-51b and 13b-55 of the general statutes are repealed. (Effective July 1, 2016)

Approved July 6, 2015

(c) 2015 Connecticut General Assembly

2015 CT S.B. 1502 (NS)

END OF DOCUMENT

© 2015 Thomson Reuters. No Claim to Orig. US Gov. Works.