



General Assembly

January Session, 2025

Raised Bill No. 7143

LCO No. 3606



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT PROHIBITING THE USE OF EMINENT DOMAIN FOR CERTAIN COMMERCIAL PURPOSES.

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

1 Section 1. Subdivision (1) of subsection (a) of section 8-127a of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2025, and applicable to property acquired on or*
4 *after October 1, 2025*):

5 (a) (1) No real property may be acquired by a redevelopment agency
6 by eminent domain pursuant to section 8-128 under a redevelopment
7 plan under this chapter for the primary purpose of increasing local tax
8 revenue or any purpose that produces income from such real property
9 for a private entity.

10 Sec. 2. Subdivision (3) of section 8-125 of the general statutes is
11 repealed and the following is substituted in lieu thereof (*Effective October*
12 *1, 2025, and applicable to property acquired on or after October 1, 2025*):

13 (3) A "redevelopment plan" means a plan that includes: (A) (i) A
14 description of the redevelopment area and the condition, type and use

15 of the structures therein, and (ii) specification of each parcel proposed
 16 to be acquired, including parcels to be acquired by eminent domain; (B)
 17 the location and extent of the land uses, other than for any purpose that
 18 produces income from any such parcel acquired by eminent domain for
 19 a private entity, proposed for and within the redevelopment area, such
 20 as housing, recreation, business, industry, schools, civic activities, open
 21 spaces or other categories of public and private uses; (C) the location
 22 and extent of streets and other public utilities, facilities and works
 23 within the redevelopment area; (D) schedules showing the number of
 24 families displaced by the proposed improvement, the method of
 25 temporary relocation of such families and the availability of sufficient
 26 suitable living accommodations at prices and rentals within the
 27 financial reach of such families and located within a reasonable distance
 28 of the area from which such families are displaced; (E) present and
 29 proposed zoning regulations in the redevelopment area; (F) a
 30 description of how the redevelopment area is deteriorated,
 31 deteriorating, substandard or detrimental to the safety, health, morals
 32 or welfare of the community; and (G) any other detail including
 33 financial aspects of redevelopment which, in the judgment of the
 34 redevelopment agency authorized herein, is necessary to give it
 35 adequate information;

36 Sec. 3. Subsection (b) of section 8-127 of the general statutes is
 37 repealed and the following is substituted in lieu thereof (*Effective October*
 38 *1, 2025*):

39 (b) Before approving any redevelopment plan, the redevelopment
 40 agency shall hold a public hearing on the plan, notice of which shall be
 41 published at least twice in a newspaper of general circulation in the
 42 municipality, the first publication of notice to be not less than two weeks
 43 before the date set for the hearing. At least thirty-five days prior to any
 44 public hearing, the redevelopment agency shall post the plan on the
 45 Internet web site of the redevelopment agency, if any. The
 46 redevelopment agency may approve any such redevelopment plan if,
 47 following such hearing, it finds that: (1) The area in which the proposed

48 redevelopment is to be located is a redevelopment area; (2) the carrying
 49 out of the redevelopment plan will result in materially improving
 50 conditions in such area; (3) sufficient living accommodations are
 51 available within a reasonable distance of such area or are provided for
 52 in the redevelopment plan for families displaced by the proposed
 53 improvement, at prices or rentals within the financial reach of such
 54 families; (4) the redevelopment plan is satisfactory as to site planning,
 55 relation to the plan of conservation and development of the
 56 municipality adopted under section 8-23 and, except when the
 57 redevelopment agency has prepared the redevelopment plan, the
 58 construction and financial ability of the redeveloper to carry it out; (5)
 59 the planning agency has issued a written opinion in accordance with
 60 subsection (a) of this section that the redevelopment plan is consistent
 61 with the plan of conservation and development of the municipality
 62 adopted under section 8-23; and (6) (A) public benefits resulting from
 63 the redevelopment plan will outweigh any private benefits; (B) existing
 64 use of the real property cannot be feasibly integrated into the overall
 65 redevelopment plan for the project; (C) acquisition by eminent domain
 66 is reasonably necessary to successfully achieve the objectives of such
 67 redevelopment plan; and (D) the redevelopment plan is not for the
 68 primary purpose of increasing local tax revenues or any purpose that
 69 produces income from such real property for a private entity. No
 70 redevelopment plan for a project that consists predominantly of
 71 residential facilities shall be approved by the redevelopment agency in
 72 any municipality having a housing authority organized under the
 73 provisions of chapter 128 except with the approval of such housing
 74 authority.

75 Sec. 4. Subdivision (1) of subsection (b) of section 8-193 of the general
 76 statutes is repealed and the following is substituted in lieu thereof
 77 (*Effective October 1, 2025, and applicable to property acquired on or after*
 78 *October 1, 2019*):

79 (b) (1) The development agency may, with the approval of the
 80 legislative body in accordance with this subsection, and in the name of

81 the municipality, acquire by eminent domain real property located
82 within the project area and real property and interests therein for rights-
83 of-way and other easements to and from the project area, in the same
84 manner that a redevelopment agency may acquire real property under
85 sections 8-128 to 8-133, inclusive, as if said sections specifically applied
86 to development agencies, except that no real property may be acquired
87 by eminent domain pursuant to this subsection for the primary purpose
88 of increasing local tax revenue or any purpose that produces income
89 from such real property for a private entity.

90 Sec. 5. Section 8-187 of the general statutes is repealed and the
91 following is substituted in lieu thereof (*Effective October 1, 2025*):

92 As used in this chapter, (1) "municipality" means a town, city,
93 consolidated town and city or consolidated town and borough; (2)
94 "legislative body" means (A) the board of selectmen in a town that does
95 not have a charter, special act or home rule ordinance relating to its
96 government or (B) the council, board of aldermen, representative town
97 meeting, board of selectmen or other elected legislative body described
98 in a charter, special act or home rule ordinance relating to government
99 in a city, consolidated town and city, consolidated town and borough or
100 a town having a charter, special act, consolidation ordinance or home
101 rule ordinance relating to its government; (3) "development agency"
102 means the agency designated by a municipality under section 8-188
103 through which the municipality may exercise the powers granted under
104 this chapter; (4) "development project" means a project conducted by a
105 municipality for the assembly, improvement and disposition of land or
106 buildings or both to be used principally for industrial or business
107 purposes and includes vacated commercial plants; (5) "vacated
108 commercial plants" means buildings formerly used principally for
109 business or industrial purposes of which more than fifty per cent of the
110 usable floor space is, or which it is anticipated, within eighteen months,
111 shall be, unused or substantially underutilized; (6) "project area" means
112 the area within which the development project is located; (7)
113 "commissioner" means the Commissioner of Economic and Community

114 Development; (8) "planning commission" means the planning and
115 zoning commission designated pursuant to section 8-4a or the planning
116 commission created pursuant to section 8-19; (9) "real property" means
117 land, subterranean or subsurface rights, structures, any and all
118 easements, air rights and franchises and every estate, right or interest
119 therein; and (10) "business purpose" includes, but is not limited to, any
120 commercial, financial or retail enterprise, [and includes] including any
121 enterprise which promotes tourism, [and any] but excludes any real
122 property that produces income for a private entity.

123 Sec. 6. Subsection (a) of section 8-189 of the general statutes is
124 repealed and the following is substituted in lieu thereof (*Effective October*
125 *1, 2025, and applicable to property acquired on or after October 1, 2025*):

126 (a) The development agency may initiate a development project by
127 preparing a project plan in accordance with regulations adopted by the
128 commissioner pursuant to section 8-198. The project plan shall meet an
129 identified public need and include: (1) A legal description of the land
130 within the project area; (2) a description of the present condition and
131 uses of such land or building; (3) a description of the process utilized by
132 the agency to prepare the plan and a description of alternative
133 approaches considered to achieve project objectives; (4) a description of
134 the types and locations of land uses or building uses proposed for the
135 project area; (5) a description of the types and locations of present and
136 proposed streets, sidewalks and sanitary, utility and other facilities and
137 the types and locations of other proposed site improvements; (6)
138 statements of the present and proposed zoning classification and
139 subdivision status of the project area and the areas adjacent to the
140 project area; (7) a plan for relocating project-area occupants; (8) a
141 financing plan; (9) an administrative plan; (10) a marketability and
142 proposed land-use study or building use study if required by the
143 commissioner; (11) appraisal reports and title searches; (12) a
144 description of the public benefits of the project including, but not limited
145 to, (A) the number of jobs which the development agency anticipates
146 would be created by the project; (B) the estimated property tax benefits;

147 (C) the number and types of existing housing units in the municipality
148 in which the project would be located, and in contiguous municipalities,
149 which would be available to employees filling such jobs; (D) a general
150 description of infrastructure improvements, including public access,
151 facilities or use, that the development agency anticipates may be needed
152 to implement the development plan; (E) a general description of the
153 development agency's goals for blight remediation or, if known,
154 environmental remediation; (F) a general description of any aesthetic
155 improvements that the development agency anticipates may be
156 generated by the project; (G) a general description of the project's
157 intended role in increasing or sustaining market value of land in the
158 municipality; (H) a general description of the project's intended role in
159 assisting residents of the municipality to improve their standard of
160 living; and (I) a general statement of the project's role in maintaining or
161 enhancing the competitiveness of the municipality; (13) findings that
162 (A) the land and buildings within the project area will be used
163 principally for industrial or business purposes; (B) the plan is in
164 accordance with the plan of conservation and development for the
165 municipality adopted by its planning commission under section 8-23,
166 and the plan of development of the regional council of governments
167 adopted under section 8-35a, if any, for the region within which the
168 municipality is located; (C) the plan was prepared giving due
169 consideration to the state plan of conservation and development
170 adopted under chapter 297 and any other state-wide planning program
171 objectives of the state or state agencies as coordinated by the Secretary
172 of the Office of Policy and Management; and (D) the project will
173 contribute to the economic welfare of the municipality and the state; and
174 that to carry out and administer the project, public action under this
175 chapter is required; and (14) a preliminary statement describing the
176 proposed process for acquiring each parcel of real property, including
177 findings that (A) public benefits resulting from the development plan
178 will outweigh any private benefits; (B) existing use of the real property
179 cannot be feasibly integrated into the overall development plan for the
180 project; (C) acquisition by eminent domain is reasonably necessary to

181 successfully achieve the objectives of such development plan; and (D)
182 the development plan is not for the primary purpose of increasing local
183 tax revenues or for any purpose that produces income from such real
184 property for a private entity. Any plan that has been prepared by a
185 redevelopment agency under chapter 130 may be submitted by the
186 development agency to the legislative body and to the commissioner for
187 approval in lieu of a plan initiated and prepared in accordance with this
188 section, provided all other requirements of this chapter for obtaining the
189 approval of the commissioner of the project plan are satisfied.

190 Sec. 7. Subdivision (1) of subsection (i) of section 32-224 of the general
191 statutes is repealed and the following is substituted in lieu thereof
192 (*Effective October 1, 2025, and applicable to property acquired on or after*
193 *October 1, 2025*):

194 (i) (1) The implementing agency may, with the approval of the
195 legislative body of the municipality, and in the name of the
196 municipality, condemn in accordance with section 8-128 to 8-133,
197 inclusive, any real property necessary or appropriate for the project as
198 identified in the development plan, including real property and
199 interests in land for rights-of-way and other easements to and from the
200 project area, except that no real property may be condemned pursuant
201 to this subsection for the primary purpose of increasing local tax
202 revenue or for any purpose that produces income from such real
203 property for a private entity.

204 Sec. 8. Subsection (a) of section 32-222 of the general statutes is
205 repealed and the following is substituted in lieu thereof (*Effective October*
206 *1, 2025, and applicable to property acquired on or after October 1, 2025*):

207 (a) "Business development project" means a project undertaken by an
208 eligible applicant involving one or more of the following:

209 (1) The construction, substantial renovation, improvement or
210 expansion of a facility;

211 (2) The acquisition of new machinery and equipment;

212 (3) The acquisition, other than by condemnation for any purpose that
213 produces income for a private entity, improvement, demolition,
214 cultivation or disposition of real property, or combinations thereof, or
215 the remediation of contaminated real property;

216 (4) The creation at a facility, within twenty-four months of the
217 initiation of a hiring program, not less than ten new jobs or an increase
218 in the number of persons employed at the facility of twenty per cent,
219 whichever is greater;

220 (5) Economic diversification of the economy of an area of the state or
221 manufacturing or other economic base business where such area or
222 business is substantially reliant upon defense and related industry;

223 (6) Participation in the avoidance of an imminent plant closing or
224 relocation by a manufacturing or other economic base business or assist
225 or improve the economy of an area of the state which has been or is
226 likely to be significantly and adversely impacted by one or more major
227 plant closings or relocations;

228 (7) Support research and development or commercialization of
229 technologies, products, processes or techniques of a manufacturing or
230 other economic base business;

231 (8) Creation or support of organizations and activities specifically
232 leveraging federal resources that provide technical and engineering
233 assistance to small manufacturers or other economic base businesses to
234 assist them with the design, testing, manufacture and marketing of new
235 products, the exporting of state products and services, and the
236 instruction and implementation of new techniques and technologies;

237 (9) Support of substantial workforce development efforts;

238 (10) Promotion of community conservation or development or
239 improvement of the quality of life for urban residents of the state;

240 (11) Promotion of the revitalization of underutilized, state-owned
241 former railroad depots and areas adjacent to such depots; or

242 (12) Promotion of export activities, including sponsorship of
243 programs that support exportation, assistance to companies in accessing
244 federal Department of Commerce services, and provision of marketing
245 materials and web site improvements for exporters;

246 Sec. 9. Subsection (b) of section 32-224 of the general statutes is
247 repealed and the following is substituted in lieu thereof (*Effective October*
248 *1, 2025, and applicable to property acquired on or after October 1, 2025*):

249 (b) The implementing agency may initiate a municipal development
250 project by preparing and submitting a development plan to the
251 commissioner. Such plan shall meet an identified public need and
252 include: (1) A legal description of the real property within the
253 boundaries of the project area; (2) a description of the present condition
254 and uses of such real property; (3) a description of the process utilized
255 by the agency to prepare the plan and a description of alternative
256 approaches considered to achieve project objectives; (4) a description of
257 the types and locations of land uses or building uses proposed for the
258 project area; (5) a description of the types and locations of present and
259 proposed streets, sidewalks and sanitary, utility and other facilities and
260 the types and locations of other proposed project improvements; (6)
261 statements of the present and proposed zoning classification and
262 subdivision status of the project area and the areas adjacent to the
263 project area; (7) a plan for relocating project area occupants; (8) a
264 financing plan; (9) an administrative plan; (10) an environmental
265 analysis, marketability and proposed land use study, or building use
266 study if required by the commissioner; (11) appraisal reports and title
267 searches if required by the commissioner; (12) a description of the public
268 benefit of the project, including, but not limited to, (A) the number of
269 jobs which the implementing agency anticipates would be created or
270 retained by the project, (B) the estimated property tax benefits, (C) the
271 number and types of existing housing units in the municipality in which

272 the project would be located, and in contiguous municipalities, which
273 would be available to employees filling such jobs, (D) a general
274 description of infrastructure improvements, including public access,
275 facilities or use, that the implementing agency anticipates may be
276 needed to implement the development plan, (E) a general description of
277 the implementing agency's goals for blight remediation or, if known,
278 environmental remediation, (F) a general description of any aesthetic
279 improvements that the implementing agency anticipates may be
280 generated by the project, (G) a general description of the project's
281 intended role in increasing or sustaining market value of land in the
282 municipality, (H) a general description of the project's intended role in
283 assisting residents of the municipality to improve their standard of
284 living, and (I) a general statement of the project's role in maintaining or
285 enhancing the competitiveness of the municipality; (13) a finding that
286 (A) the land and buildings within the boundaries of the project area will
287 be used principally for manufacturing or other economic base business
288 purposes or business support services; (B) the plan is in accordance with
289 the plan of conservation and development for the municipality, if any,
290 adopted by its planning commission under section 8-23, and the plan of
291 development of the regional council of governments adopted under
292 section 8-35a, if any, for the region within which the municipality is
293 located; (C) the plan was prepared giving due consideration to the state
294 plan of conservation and development adopted under chapter 297 and
295 other state-wide planning program objectives of the state or state
296 agencies as coordinated by the Secretary of the Office of Policy and
297 Management; and (D) the project will contribute to the economic
298 welfare of the municipality and the state and that to carry out and
299 administer the project, public action under sections 32-220 to 32-234,
300 inclusive, is required; and (14) a preliminary statement describing the
301 proposed process for acquiring each parcel of real property, including
302 findings that (A) public benefits resulting from the plan will outweigh
303 any private benefits; (B) existing use of the real property cannot be
304 feasibly integrated into the overall plan for the project; (C) acquisition
305 by eminent domain is reasonably necessary to successfully achieve the

306 objectives of such plan; and (D) the plan is not for the primary purpose
 307 of increasing local tax revenues or for any purpose that produces income
 308 from such parcel for a private entity. The provisions of this subsection
 309 with respect to submission of a development plan to and approval by
 310 the commissioner and with respect to a finding that the plan was
 311 prepared giving due consideration to the state plan of conservation and
 312 development and state-wide planning program objectives of the state or
 313 its agencies shall not apply to a project for which no financial assistance
 314 has been given and no application for financial assistance is to be made
 315 under section 32-223. Any plan that has been prepared under chapters
 316 130, 132 or 588a may be submitted by the implementing agency to the
 317 legislative body of the municipality and to the commissioner in lieu of a
 318 plan initiated and prepared in accordance with this section, provided all
 319 other requirements of sections 32-220 to 32-234, inclusive, for obtaining
 320 the approval of the commissioner of the development plan are satisfied.
 321 Any action taken in connection with the preparation and adoption of
 322 such plan shall be deemed effective to the extent such action satisfies the
 323 requirements of said sections.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2025, and applicable to property acquired on or after October 1, 2025</i>	8-127a(a)(1)
Sec. 2	<i>October 1, 2025, and applicable to property acquired on or after October 1, 2025</i>	8-125(3)
Sec. 3	<i>October 1, 2025</i>	8-127(b)
Sec. 4	<i>October 1, 2025, and applicable to property acquired on or after October 1, 2019</i>	8-193(b)(1)
Sec. 5	<i>October 1, 2025</i>	8-187

Sec. 6	<i>October 1, 2025, and applicable to property acquired on or after October 1, 2025</i>	8-189(a)
Sec. 7	<i>October 1, 2025, and applicable to property acquired on or after October 1, 2025</i>	32-224(i)(1)
Sec. 8	<i>October 1, 2025, and applicable to property acquired on or after October 1, 2025</i>	32-222(a)
Sec. 9	<i>October 1, 2025, and applicable to property acquired on or after October 1, 2025</i>	32-224(b)

Statement of Purpose:

To prohibit municipalities from exercising the use of eminent domain for any purpose that produces income for a private, commercial entity.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]