



State of Connecticut
GENERAL ASSEMBLY
STATE CAPITOL
300 CAPITOL AVENUE
HARTFORD, CONNECTICUT 06106-1591

April 1, 2022

Governor Ned Lamont
Office of the Governor
210 Capitol Avenue
Hartford, CT 06106

Attorney General, William Tong
Office of the Attorney General
165 Capitol Avenue
Hartford, CT 06106

Dear Governor Lamont and Attorney General Tong:

Rampant inflation and over taxation have created record state surpluses for the 2022 and 2023 fiscal years. Yet many families in our state continue to struggle as the K shaped recovery from the COVID-19 pandemic has left working and middle class families behind.

Though the passage of Emergency Certified Bill 5501 is progress, there is much more that can be done by way of tax relief to help the overburdened citizens of this state. We have heard much from the administration that it is limited by the American Rescue Plan Act (ARPA) as to the amount of tax relief the state can provide. We disagree with the administration's contention that the state is limited. We are not alone in our opinion. At least 16 states' attorneys general have sued to overturn ARPA's purported tax restrictions as unconstitutional. To date, these challenges have been successful, which has led to significant bipartisan tax relief in many states with at least two Democratic governors signing income tax cuts into law.

We ask that you, like other states, challenge ARPA's prohibition on the use of funds to offset a reduction in net tax revenue, reduce any tax or deposit funds into a pension fund and the Treasury Departments rules regarding these provisions as running afoul of the Spending Clause, the Tenth Amendment and other legal doctrine.

Sincerely,

Handwritten signature of Kevin C. Kelly in black ink.

Kevin C. Kelly
Senate Republican Leader

Handwritten signature of Vincent J. Candelora in black ink.

Vincent J. Candelora
House Republican Leader

Handwritten signature of Senator Paul M. Formica in black ink.

Senator Paul M. Formica
Senate Republican Leader
Pro Tempore