



**70th Annual School for
Connecticut Assessors and Boards
of Assessment Appeals**



Connecticut General Assembly

January 2013 Session

Session Overview

- **Property Tax Exemptions and Abatements**
 - **Veterans and Totally Disabled Veterans**
 - **Emergency Medical Technicians**
 - **Renewable Energy Systems**
 - **Recycling Machinery and Equipment**

Session Overview

- **Property Tax Exemptions and Abatements, Cont.**
 - **Extension of Exemption Filing Deadlines**
 - **Regional Council of Governments**
 - **Rentschler Field Improvement District**
 - **Connecticut Airport Authority**

Session Overview

- **Elderly and Totally Disabled Renter's Rebate Program**
- **Land Value Taxation**
- **Phase In**
- **Revaluation of Tribal Lands**
- **Fixed Assessments**

Session Overview

- **Capital Region Development Authority
Property**
- **Various Property Tax Collection and Tax
Refund Provisions**

PA 13-48 (SB 70)

- Sec. 1 (NEW)
- Effective: October 1, 2013
- Provides state benefits to veterans impacted by the federal government's "Don't ask, don't tell" policy
- That prohibited homosexuals from serving in the armed forces

PA 13-48 (SB 70)

- From December 21, 1993 until September 20, 2011, those who violated this policy were discharged less than honorably
- Regardless of the original discharge status of such veterans, if the federal government reinstates their eligibility for benefits
- They are eligible for state veteran's benefits, including property tax exemptions

PA 13-48 (SB 70)

- Also requires the state Department of Veterans' Affairs
- To inform veterans of legal services organizations
- That will help them get military discharge upgrades
- And a reinstatement of federal benefits

PA 13-224 (SB 383)

- Sec. 1 amends CGS §12-81g
- Effective: October 1, 2013 and applicable to assessment years commencing on and after that date
- Allows municipalities to increase the additional property tax exemption for totally disabled veterans who meet certain income limits

PA 13-224 (SB 383)

- Veteran must be 100% disabled and entitled to an exemption under CGS §12-81(20)
- Income limits are \$18,000 if veteran is single, or \$21,000 if married
 - Veteran's disability payments are excluded from income computation
- Municipal legislative body (or board of selectman if legislative body is town meeting) must approve increase

PA 13-224 (SB 383)

- From twice the amount of the base exemption under CGS §12-81(20) to 3 times the amount of that exemption
- If municipality chooses to adopt increase and base exemption is \$3,000, income qualified totally disabled veteran will receive additional exemption of \$9,000
- 100% disabled veterans whose income exceeds statutory limits, continue to be eligible for additional exemption equal to 1/2 the amount of base exemption

PA 13-224 (SB 383)

- Base exemption always reflects any increase under CGS §12-62g due to revaluation
- In Madison, for example, base exemption for 100% disabled veteran under CGS §12-81(20) is currently \$18,000
- If Madison's legislative body votes to increase additional exemption for income-qualified 100% disabled veterans

PA 13-224 (SB 383)

- They would receive an additional exemption of \$54,000
- Non-income eligible totally disabled veteran in Madison would continue to qualify for an additional exemption of \$9,000 (i.e., 1/2 the base exemption)
- The state reimburses municipalities for their tax losses for the additional exemption for income-qualified veterans

PA 13-224 (SB 383)

- Reimbursement is prorated to the appropriation
- There is no reimbursement for the non-income qualified additional exemption
- SB 383 also requires OPM to adopt regulations establishing procedures by which
 - (1) municipalities determine a veteran's eligibility for the new triple-the-base exemption;

PA 13-224 (SB 383)

- (2) municipalities apply for state reimbursement;
and
- (3) how OPM conducts audits and makes adjustments to municipal reimbursement applications
- OPM has already adopted similar regulations governing the existing additional veterans' exemptions

PA 13-224 (SB 383)

- Those exemptions are not affected by this legislation
- Municipalities cannot increase exemption amounts for veterans who have disability ratings of less than 100%
- Nor can they increase amount of additional exemption for non-income qualified totally disabled veterans

PA 13-204 (HB 6565)

- Sec. 2 amends CGS §12-81x
- Effective: October 1, 2013
- Makes emergency medical technicians who are killed in the line of duty
- Eligible for a local option property tax abatement program

PA 13-204 (HB 6565)

- The surviving spouse of a police officer or firefighter killed in the line of duty is currently eligible for this program
- Under which all (or part) of property tax is abated for surviving spouse's principal residence
- Municipality must adopt an ordinance to provide this property tax abatement

PA 13-61 (SB 203)

- **Sec. 1 amends CGS §12-81(57)**
- **Effective: June 3, 2013 and applicable to assessment years commencing on and after October 1, 2013**
- **Expands local option property tax exemption eligibility for certain renewable energy systems and**
- **Institutes state mandated exemption commencing with the October 1, 2014 assessment year**

PA 13-61 (SB 203)

- Eligible for exemption:
- (A) Class I renewable energy sources (e.g., solar or wind power),
- (B) Class II renewable hydropower facilities, and
- (C) solar thermal (e.g., solar heated water) or geothermal renewable energy sources

PA 13-61 (SB 203)

- **Other applicable criteria:**
- **(1) Energy generation or displacement system must be installed for commercial or industrial purposes, and**
- **(2) Cannot produce more energy than the location will need**

PA 13-61 (SB 203)

- **Mandatory exemption for system meeting all these criteria begins with the October 1, 2014 assessment year**
- **In New Haven, state-mandated exemption begins one year earlier (i.e., October 1, 2013 assessment year) and**
- **Applies to renewable energy sources installed as early as January 1, 2010**

PA 13-61 (SB 203)

- For the October 1, 2013 assessment year, municipalities other than New Haven may abate up to 100% of the property taxes on renewable energy systems installed between January 1, 2010 and December 31, 2013
- The 2013 assessment year exemption must be approved by the municipality's legislative body

Note:

Since property assessed on the October 1, 2013 grand list must be located in a town on or before the assessment date, there is a flaw in this language. Systems installed between October 2 and December 31, 2013 cannot enjoy exempt status for the 2013 assessment year.

PA 13-61 (SB 203)

- If legislative body is a town meeting, board of selectmen must approve exemption
- Local option exemption exists for October 1, 2013 assessment year only
- State mandated exemption for renewable energy systems that meet these criteria takes effect as of October 1, 2014 Grand List

PA 13-285 (SB 1081)

- Sec. 6 (NEW)
- Effective: October 1, 2013 and applicable to assessment years commencing on and after that date
- Creates a local option property tax exemption for machinery and equipment used in connection with recycling, as defined in CGS §22a-207
- Installed on or after October 1, 2013

PA 13-285 (SB 1081)

- Subdivision (7) of CGS §22a-207 defines recycling as “the processing of solid waste to reclaim material therefrom”
- Exemption is applicable for first 15 years following installation of such machinery and equipment
- Municipality’s legislative body must adopt ordinance to provide exemption

PA 13-247 (HB 6706)

- Secs. 11 through 13, inclusive (NEW)
- Effective: June 20, 2013
- Extends deadline for taxpayers in Bloomfield and Seymour to file for manufacturing and machinery property tax exemptions
- Application must be filed not later than July 20, 2013 (i.e., not later than 30 days after the effective date of these sections)

PA 13-247 (HB 6706)

- Exemptions for which filing extensions are applicable:

Bloomfield	2010 Grand List	CGS §12-81(72)
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Bloomfield	2011 Grand List	CGS §12-81(76)
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Seymour	2011 Grand List	CGS §12-81(76)
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PA 13-247 (HB 6706)

- **Sec. 381 (NEW)**
- **Effective: June 20, 2013**
- **Extends deadline for taxpayer in Danbury to request a reconsideration of OPM's modification or denial of**
- **2006 Grand List manufacturing and machinery exemption under CGS §12-81(72)**

PA 13-247 (HB 6706)

- **Danbury taxpayer must file written request for reconsideration**
- **Not later than July 20, 2013 (i.e., not later than 30 days after the effective date of Sec. 381)**
- **Request must be accompanied by all documentation and information specified in OPM's letter of exemption modification or denial**

PA 13-247 (HB 6706)

- Sec. 287 amends CGS §12-81(77)
- Effective: January 1, 2015
- Removes references to regional council of elected officials and regional planning agency
- Making exemption applicable to property of regional council of governments only

PA 13-246 (HB 5718)

- **Sec. 3 (NEW)**
- **Effective: July 1, 2013**
- **Allows for the creation of the Rentschler Field Improvement District in East Hartford**
- **Describes the district's boundaries and the process by which it may be formed**

PA 13-246 (HB 5718)

- Also sets forth its powers, which include the power to levy property taxes
- Any property the Rentschler Field Improvement District owns is tax exempt

PA 13-277 (SB 975)

- Sec. 58 (NEW)
- Effective: July 1, 2013
- Exempts the Connecticut Airport Authority from any tax or assessment the state, or any municipality, political subdivision or special taxing district may levy
- Except as provided in Sec. 59 of SB 975

PA 13-277 (SB 975)

- **Sec. 59 (NEW)**
- **Effective: July 1, 2013 and applicable to assessment years commencing on and after October 1, 2012**
- **Requires the Connecticut Airport Authority to make annual payments representing property tax**

PA 13-277 (SB 975)

- For the Authority's property at Bradley International Airport

- Also specifies the payments amounts:

– Windsor Locks	\$ 3,319,685.85
– Suffield	693,909.43
– East Granby	657,991.08
– Windsor	6,925.43

PA 13-277 (SB 975)

- Provides that amounts these towns receive in FY 13-14, are the same as amounts they received FY 12-13, and that
- Any real property improvements completed at Bradley International Airport on or after October 1, 2012
- Are deemed to be included in the annual tax payments

PA 13-277 (SB 975)

- Sec. 60 amends CGS §12-19a
- Effective: July 1, 2013 and applicable to assessment years commencing on and after October 1, 2012
- Repeals requirement that a portion of the State-Owned Real Property PILOT is paid from the
- Bradley International Airport Enterprise Fund

PA 13-277 (SB 975)

- Sec. 61 amends subsection (c) of CGS §12-64
- Effective: July 1, 2013 and applicable to assessment years commencing on and after October 1, 2012
- Specifies that real property owned by the Connecticut Airport Authority is not subject to taxation

PA 13-277 (SB 975)

- Includes Bradley International Airport or any other general aviation airport (as defined in CGS §15a-120aa) the Authority may own, operate or manage
- Other currently designated general aviation airports include
- Danielson Airport, Groton/New London Airport, Hartford Brainard Airport, Waterbury-Oxford Airport and Windham Airport

PA 13-234 (HB 6705)

- Sec. 2 (NEW)
- Effective: June 19, 2013
- Transfers the elderly and totally disabled renter's rebate program
- From OPM to the Department of Housing (DOH)

PA 13-234 (HB 6705)

- Sec. 36 amends CGS §12-120b
- Effective: July 1, 2013, and applicable to assessment years commencing on or after October 1, 2012
- Deletes references to the renter's rebate program in statute allowing for appeals of OPM determinations for various grant programs

PA 13-234 (HB 6705)

- Sec. 37 (NEW)
- Effective: July 1, 2013
- Allows for appeals of determinations by the DOH Commissioner
- Regarding a modification or denial of a renter's rebate
- Same procedures as set forth in CGS §12-120b

PA 13-234 (HB 6705)

- Sec. 38 amends CGS §12-170d
- Effective: July 1, 2013, and applicable to applications received on and after April 1, 2013
- Makes any elderly or totally disabled renter that did not receive a renter's rebate in calendar year 2011
- Ineligible for the renter's rebate program

PA 13-234 (HB 6705)

- Specifies that any person who received a renter's rebate in calendar year 2011
- May continue to apply for a rebate
- But, if the renter does not receive a rebate in any subsequent calendar year
- The renter becomes ineligible for the program

PA 13-234 (HB 6705)

- Sec. 39 amends CGS §12- 170f
- Effective: July 1, 2013
- Replaces references to the OPM Secretary with the DOH Commissioner
- Also provides that the DOH issue a renter's rebate not later than 120 days after receiving application from assessor or agent

PA 13-234 (HB 6705)

- Secs. 40 and 42 amend CGS §12-170g and §12-129bb, respectively
- Effective: July 1, 2013
- Replaces references to the OPM Secretary
- With the DOH Commissioner

PA 13-234 (HB 6705)

- Sec. 41 (NEW)
- Effective: July 1, 2013
- Authorizes the DOH Commissioner to enforce all provisions related to the elderly and totally disabled renter's rebate program
- Also allows the Commissioner to adopt regulations concerning the program

PA 13-247 (HB 6706)

- Sec. 329 amends CGS §12-63h
- Effective: October 1, 2013
- Requires OPM to establish a pilot land value taxation program in up to 3 municipalities
- Participating municipalities will develop a land value taxation plan not later than December 31, 2014

PA 13-247 (HB 6706)

- Land value taxation program will classify taxable real estate as either land (or land exclusive of buildings) or buildings on land, and
- Municipality will establish different mill rates for each classification, with the higher mill rate being used for land
- OPM must establish an application form and program procedures

PA 13-247 (HB 6706)

- **Municipal legislative body must approve application**
- **Once OPM selects a municipality to participate in the land value taxation program**
- **Municipal chief executive office appoints a committee comprised of:**
 - **(1) a representative of the legislative body of the municipality (or board of selectman if legislative body is town meeting)**

PA 13-247 (HB 6706)

- (2) a representative from the business community;
 - (3) a land use attorney; and
 - (4) relevant taxpayers and stakeholders
- Committee prepares a plan for implementation of land value taxation that must:

PA 13-247 (HB 6706)

- (A) provide a process for implementing differentiated tax rates
- (B) designate geographic areas of municipality where the differentiated rates will apply;
- (C) identify legal and administrative issues affecting the plan's Implementation

PA 13-247 (HB 6706)

- Municipality's chief executive officer, chief elected official, assessor and tax collector must have opportunity to review plan and comment on it
- Municipality's legislative body must approve the plan before it is submitted to the General Assembly's
- Finance, Revenue and Bonding, Planning and Development and Commerce Committees

PA 13-204 (HB 6565)

- Sec. 1 amends CGS §12-62c
- Effective: June 25, 2013 and applicable to assessment years commencing on and after October 1, 2013
- Eliminates a municipality's authority to phase in all or part of real property assessment that decreases as a result of revaluation

PA 13-204 (HB 6565)

- Provision allowing phase in of assessment decreases was created last year by
- Sec. 168 of PA 12-2 (June 12, 2012 Special Session)

PA 13-291 (HB 6490)

- Section 1 amends CGS §12-62(h)
- Effective: July 1, 2013, and applicable to assessment years commencing on or after October 1, 2013
- Removes the revaluation exemption applicable to certain Mohegan and Mashantucket Pequot property

PA 13-291 (HB 6490)

- Specifically:
 - “real property (1) designated within the 1983 settlement boundary and taken into trust by the federal government for the Mashantucket Pequots before June 8, 1999, or
 - (2) taken into trust by the federal government for the Mohegans”

PA 13-291 (HB 6490)

- Sec. 98 of PA 12-1 (June 12 Special Session) made these lands eligible for a State-Owned Real Property PILOT
- Calculated at 45% of the property taxes that would have been paid on the lands
- There is a five year phase in of the 45% PILOT

PA 13-291 (HB 6490)

- Since a municipality's PILOT is based on a property's assessed value
- Legislative change ties this portion of the PILOT to Montville and Ledyard
- To the revalued assessments for Mohegan and Mashantucket Pequot lands

PA 13-246 (HB 5718)

- Sec. 1 amends CGS §12-65b
- Effective: October 1, 2013
- Reduces, from \$25,000 to \$10,000, the minimum cost of improvements for certain economic development projects
- Eligible for a local-option tax exemption of 50% for up to 3 years

PA 13-246 (HB 5718)

- Also adds “mixed-use development” as defined in CGS §8-13m as an economic development activity
- Eligible for the fixed assessment provisions of CGS §12-65b
- CGS §8-13m defines mixed-use developments as those that contain at least one residential unit, as well as a commercial, public, institutional, retail, office, or industrial use(s)

PA 13-246 (HB 5718)

- Sec. 2 amends CGS §12-65c
- Effective October 1, 2013
- Changes the definition of “rehabilitation area”
- Specifies that a rehabilitation area may contain “one or more properties” that meet statutory criteria

PA 13-246 (HB 5718)

- Property (or properties) must be:
- “...deteriorated, deteriorating, substandard or detrimental to the safety, health, welfare or general economic well-being of the community”

PA 13-184 (HB 6704)

- Sec. 96 (NEW)
- Effective: July 1, 2013
- Requires the Hartford Assessor to assess certain apartment property as residential property
- Notwithstanding the provisions of CGS §12-62r

PA 13-184 (HB 6704)

- **Such property must:**
 - **1) Be located within the Capital City Economic Development District, as defined in CGS §32-600**
 - **Be newly-created or converted by the Capital Region Development Authority, and**
 - **Receive a certificate of occupancy after July 1, 2013**

PA 13-276 (SB 965)

- Sec. 3 amends CGS §12-41
- Effective: October 1, 2013
- Allows commercial or financial information in a Personal Property Declaration
- To be disclosed to municipal officers for tax collection purposes

PA 13-276 (SB 965)

- Sec. 4 amends CGS §12-81d
- Effective: October 1, 2013
- Requires the assessor, rather than the tax collector,
- To declare property tax exempt from the date a municipality takes title to it by purchase, conveyance, gift, or otherwise

PA 13-276 (SB 965)

- Sec. 9 amends CGS §12-128
- Effective: October 1, 2013
- Specifies that a tax collected erroneously from a person who served in the
- United States Army, Navy, Marine Corps, Coast Guard or Air Force

PA 13-276 (SB 965)

- Or from a relative of such person (as specified in CGS §12-81)
- Becomes the property of the municipality
- If the person does not request a refund within the statutory 6-year time frame

PA 13-276 (SB 965)

- Sec. 10 amends CGS §12-129
- Effective: October 1, 2013
- Establishes a 90-day deadline to apply for the refund of a tax overpayment due to:
 - (1) deletion of a tax assessment by a final court order,
 - (2) reduction of an assessment by a Board of Assessment Appeals, or

PA 13-276 (SB 965)

- (3) removal of property from a taxpayer's Personal Property Declaration due to an audit
- Requires all refund applications to be delivered or postmarked by one of the statutory deadlines
- Provides that another tax delinquency or other debt owed by the same taxpayer is sufficient grounds for denying the refund application

PA 13-276 (SB 965)

- Lastly, specifies that any payment for which no timely application is made or granted
- Becomes the property of the municipality

PA 13-276 (SB 965)

- Sec. 13 amends CGS §12-134
- Effective: October 1, 2013
- Replaces the requirement that the town clerk or rate maker assign a number to each tax account
- With the requirement that the assessor or rate maker do so

PA 13-276 (SB 965)

- Sec. 16 amends CGS §12-137
- Effective: October 1, 2013
- Requires the tax collector to notify the assessor (as well as the town clerk)
- Of all taxable property that is not assessed or is assessed to the wrong party

PA 13-276 (SB 965)

- Sec. 29 amends CGS §12-155
- Effective: October 1, 2013
- Provides that a tax collector is not required to make a demand for payment of a delinquent tax, sanitation or water charge
- If the assessor is unable to identify the owner or person responsible for the payment

PA 13-276 (SB 965)

- Sec. 30 amends CGS §12-157
- Effective: October 1, 2013
- Among other changes, allows tax collector to use citation from land records, assessor's map reference or other publicly available document describing boundaries of real property
- For purposes of identifying it for tax lien purposes

PA 13-271 (HB 6033)

- Sec. 9 amends CGS §14-33
- Effective: October 1, 2013
- Allows DMV to deny registration for all-terrain vehicle or vessel
- In the event the owner is delinquent in the payment of motor vehicle property taxes

PA 13-271 (HB 6033)

- Adds provision allowing DMV to cancel all motor vehicle, snowmobile, all-terrain vehicle or vessel registrations
- When a motor vehicle registration was renewed through an error or
- There was false evidence that the delinquent motor vehicle property tax was paid

PA 13-271 (HB 6033)

- Also replaces requirement that tax collectors use prescribed forms to report motor vehicle tax delinquencies
- With requirement that they do so in accordance with guidelines and procedures DMV establishes

PA 13-271 (HB 6033)

- Sec. 10 amends CGS §14-33a
- Effective: October 1, 2013
- Replaces requirement that tax collectors use prescribed forms to report that a property tax is no longer delinquent
- With requirement that they do so in accordance with guidelines and procedures DMV establishes

