



General Assembly

Substitute Bill No. 5203

February Session, 2020



AN ACT CONCERNING PROPERTY TAX DEFERRAL FOR ELDERLY PERSONS.

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

1 Section 1. (NEW) (*Effective October 1, 2020, and applicable to assessment*
2 *years commencing on or after October 1, 2020*) (a) For purposes of this
3 section, "qualified taxpayer" means (1) an elderly person of qualified age
4 pursuant to this section, (2) the spouse of such person, provided the
5 spouse is of qualified age pursuant to this section and domiciled with
6 such person, (3) a surviving spouse of qualified age pursuant to this
7 section of a person who at the time of such person's death had qualified
8 and was entitled to tax relief under this section, provided such surviving
9 spouse was domiciled with such person at the time of the person's
10 death, (4) a person, who himself or herself, or his or her spouse, has been
11 a resident of the state not less than ten years before applying for tax relief
12 pursuant to this section and has occupied the property for which tax
13 relief is sought as his or her primary home for not less than five years,
14 (5) a person who is not delinquent on any prior year taxes on such
15 property and maintains homeowner's insurance on such property, and
16 (6) a person whose taxable and nontaxable income in the tax year
17 preceding the date of application for relief under this section was not in
18 excess of limits set forth by a municipality in accordance with this
19 section.

20 (b) Any municipality, upon approval of its legislative body, may
21 annually permit an owner of real property or any tenant for life or for a
22 term of years liable for property taxes under section 12-48 of the general
23 statutes who is a qualified taxpayer to defer paying property taxes, in
24 an amount not to exceed fifty per cent of such taxpayer's proportional
25 share of the full and fair cash value of the property for which tax relief
26 is sought. The municipality may set age and income eligibility
27 requirements for such tax deferral and limit the number of such
28 deferrals that may be granted to any qualified taxpayer.

29 (c) A municipality granting a tax deferral pursuant to this section
30 shall have a lien, which shall take priority over all other liens, except for
31 another lien filed by such municipality, against such taxpayer's property
32 in the amount of the deferred taxes with administrative fees and interest
33 compounded at not more than ten per cent annually. Notwithstanding
34 the provisions of this subsection, upon the death of the qualified
35 taxpayer, the heirs-at-law, assignees or devisees of such taxpayer shall
36 have first priority to the real property for which a tax deferral was
37 granted by paying in full the total taxes which would otherwise have
38 been due, plus interest.

39 (d) A person applying for a tax deferral pursuant to this section shall
40 annually apply for such deferral on a form prescribed by the
41 municipality's chief assessment authority with any documentation
42 required by such authority. The municipality's chief assessment
43 authority shall annually send to a qualified taxpayer written notice of
44 the tax liability incurred by such taxpayer.

45 (e) If title to the real property for which tax relief is sought pursuant
46 to this section is recorded in the name of the qualified taxpayer and any
47 other person or persons, the qualified taxpayer shall be entitled to
48 request a deferral of his or her fractional share of the tax on such
49 property and such other person or persons shall pay the person's or
50 persons' fractional share of the tax without regard for the provisions of
51 this section. For the purposes of this section, a "mobile manufactured
52 home", as defined in section 12-63a of the general statutes, shall be

53 deemed to be real property.

54 (f) If a qualified taxpayer transfers, assigns, grants or otherwise
55 conveys subsequent to the first day of October, but prior to the first day
56 of August, in such assessment year the interest in real property for
57 which a tax deferral is granted, regardless of whether such transfer,
58 assignment, grant or conveyance is voluntary or involuntary, the
59 amount of such tax deferral shall be a pro rata portion of the amount
60 otherwise applicable in such assessment year to be determined by a
61 fraction the numerator of which shall be the number of full months from
62 the first day of October in such assessment year to the date of such
63 conveyance and the denominator of which shall be twelve. If such
64 conveyance occurs in the month of October the grantor shall be
65 disqualified for such tax deferral in such assessment year. The grantee
66 shall be required within a period not exceeding ten days immediately
67 following the date of such conveyance to notify the assessor thereof, or
68 in the absence of such notice, upon determination by the assessor that
69 such transfer, assignment, grant or conveyance has occurred, the
70 assessor shall determine the amount of tax deferral benefit to which the
71 grantor is entitled for such assessment year with respect to the interest
72 in real property conveyed and notify the tax collector of the reduced
73 amount of such benefit. Upon receipt of such notice from the assessor,
74 the tax collector shall, if such notice is received after the tax due date in
75 the municipality, no later than ten days thereafter mail or hand a bill to
76 the grantee stating the additional amount of tax due as determined by
77 the assessor. Such tax shall be due and payable and collectible as other
78 property taxes and subject to the same liens and processes of collection,
79 provided such tax shall be due and payable in an initial or single
80 installment not sooner than thirty days after the date such bill is mailed
81 or handed to the grantee and in equal amounts in any remaining,
82 regular installments as the same are due and payable.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2020, and applicable to assessment years commencing on or after October 1, 2020</i>	New section
-----------	---	-------------

AGE

Joint Favorable Subst. C/R

PD