



General Assembly

February Session, 2000

**Raised Bill No. 523**

LCO No. 2087

Referred to Committee on Finance, Revenue and Bonding

Introduced by:  
(FIN)

***An Act Facilitating Administration Of Various Tax Laws.***

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

1 Section 1. Subsection (a) of section 12-2 of the general statutes is  
2 amended by adding a new subdivision (6) as follows:

3 (NEW) (6) Every person liable for any tax payable under the laws of  
4 this state to the Commissioner of Revenue Services, including any  
5 liability for the collection of any tax payable under the laws of this  
6 state to the commissioner, shall keep all records that are necessary to a  
7 determination of such person's correct tax liability, including, but not  
8 limited to, whether such person is liable for, or liable for the collection  
9 of, a tax or taxes payable to the commissioner or whether such person's  
10 income or gross receipts or such person's sales or purchases were, in  
11 whole or in part, subject to or exempt from a tax or taxes payable  
12 under the laws of this state to the commissioner. The records required  
13 by this subsection shall be kept at all times available for inspection by  
14 authorized officers or employees of the Department of Revenue  
15 Services, and shall be retained so long as such records may become  
16 material in the administration of any tax payable under the laws of this  
17 state to the commissioner.

18       Sec. 2. Subsections (a) and (b) of section 12-15 of the general statutes,  
19 as amended by section 1 of public act 99-121, are repealed and the  
20 following is substituted in lieu thereof:

21       (a) No officer or employee, including any former officer or former  
22 employee, of the state or of any other person who has or had access to  
23 returns or return information in accordance with subdivision [(2)] 12 of  
24 subsection [(c)] (b) of this section shall disclose or inspect any return or  
25 return information, except as provided in this section.

26       (b) The commissioner may disclose (1) returns or return information  
27 to (A) an authorized representative of another state agency or office,  
28 upon written request by the head of such agency or office, when  
29 required in the course of duty or when there is reasonable cause to  
30 believe that any state law is being violated, or (B) an authorized  
31 representative of an agency or office of the United States, upon written  
32 request by the head of such agency or office, when required in the  
33 course of duty or when there is reasonable cause to believe that any  
34 federal law is being violated, provided no such agency or office shall  
35 disclose such returns or return information, other than in a judicial or  
36 administrative proceeding to which such agency or office is a party  
37 pertaining to the enforcement of state or federal law, as the case may  
38 be, in a form which can be associated with, or otherwise identify,  
39 directly or indirectly, a particular taxpayer except that the names and  
40 addresses of jurors or potential jurors and the fact that the names were  
41 derived from the list of taxpayers pursuant to chapter 884 may be  
42 disclosed by the judicial branch; (2) returns or return information to  
43 the Auditors of Public Accounts, when required in the course of duty  
44 under chapter 23; (3) returns or return information to tax officers of  
45 another state or of a Canadian province or of a political subdivision of  
46 such other state or province or of the District of Columbia or to any  
47 officer of the United States Treasury Department or the United States  
48 Department of Health and Human Services, authorized for such  
49 purpose in accordance with an agreement between this state and such  
50 other state, province, political subdivision, the District of Columbia or

51 department, respectively, when required in the administration of taxes  
52 imposed under the laws of such other state, province, political  
53 subdivision, the District of Columbia or the United States, respectively,  
54 and when a reciprocal arrangement exists; (4) returns or return  
55 information in any action, case or proceeding in any court of  
56 competent jurisdiction, when the commissioner or any other state  
57 department or agency is a party, and when such information is directly  
58 involved in such action, case or proceeding; (5) returns or return  
59 information to a taxpayer or its authorized representative, upon  
60 written request for a return filed by or return information on such  
61 taxpayer; (6) returns or return information to a successor, receiver,  
62 trustee, executor, administrator, assignee, guardian or guarantor of a  
63 taxpayer, when such person establishes, to the satisfaction of the  
64 commissioner, that such person has a material interest which will be  
65 affected by information contained in such [return] returns or return  
66 information; (7) information to the assessor or an authorized  
67 representative of the chief executive officer of a Connecticut  
68 municipality, when the information disclosed is limited to (A) a list of  
69 real or personal property that is or may be subject to property taxes in  
70 such municipality or (B) a list containing the name of each person who  
71 is issued any license, permit or certificate which is required, under the  
72 provisions of this title, to be conspicuously displayed and whose  
73 address is in such municipality; (8) real estate conveyance tax return  
74 information or controlling interest transfer tax return information to  
75 the town clerk or an authorized representative of the chief executive  
76 officer of a Connecticut municipality to which the information relates;  
77 (9) estate tax returns and estate tax return information to the Probate  
78 Court Administrator or to the court of probate for the district within  
79 which a decedent resided at the date of the decedent's death, or within  
80 which the commissioner contends that a decedent resided at the date  
81 of the decedent's death or, if a decedent died a nonresident of this  
82 state, in the court of probate for the district within which real estate or  
83 tangible personal property of the decedent is situated, or within which  
84 the commissioner contends that real estate or tangible personal

85 property of the decedent is situated; (10) returns or return information  
86 to the Secretary of the Office of Policy and Management for purposes  
87 of subsection (b) of section 12-7a; (11) return information to the Jury  
88 Administrator, when the information disclosed is limited to the names,  
89 addresses, federal Social Security numbers and dates of birth, if  
90 available, of residents of this state, as defined in subdivision (1) of  
91 subsection (a) of section 12-701; (12) pursuant to regulations adopted  
92 by the commissioner, returns or return information to any person to  
93 the extent necessary in connection with the processing, storage,  
94 transmission or reproduction of such returns or return information,  
95 and the programming, maintenance, repair, testing or procurement of  
96 equipment, or the providing of other services, for purposes of tax  
97 administration; [and] (13) without written request and unless the  
98 commissioner determines that disclosure would identify a confidential  
99 informant or seriously impair a civil or criminal tax investigation,  
100 returns and return information which may constitute evidence of a  
101 violation of any civil or criminal law of this state or the United States to  
102 the extent necessary to apprise the head of such agency or office  
103 charged with the responsibility of enforcing such law, in which event  
104 the head of such agency or office may disclose such return information  
105 to officers and employees of such agency or office to the extent  
106 necessary to enforce such law; and (14) names and addresses of  
107 operators, as defined in section 12-407, as amended, to tourism  
108 districts, as defined in section 32-302, as amended.

109 Sec. 3. Subsection (b) of section 12-35 of the general statutes is  
110 repealed and the following is substituted in lieu thereof:

111 (b) (1) Any such warrant on any intangible personal property of any  
112 person may be served by mailing a certified copy of such warrant by  
113 certified mail, return receipt requested, to any third person in  
114 possession of, or obligated with respect to, receivables, bank accounts,  
115 evidences of debt, securities, salaries, wages, commissions,  
116 compensation or other intangible personal property subject to such  
117 warrant, ordering such third person to forthwith deliver such property

118 or pay the amount due or payable to the state collection agency which  
119 has made out such warrant, provided such warrant may be issued only  
120 after the state collection agency making out such warrant has notified  
121 the person owning such property, in writing, of its intention to issue  
122 such warrant. The notice of intent shall be: [(1)] (A) Given in person;  
123 [(2)] (B) left at the dwelling or usual place of business of such person;  
124 or [(3)] (C) sent by certified mail, return receipt requested, to such  
125 person's last known address, not less than thirty days before the day  
126 the warrant is to be issued.

127 (2) Any such warrant on any intangible personal property of any  
128 person may be served by electronic mail or facsimile machine on any  
129 third person in possession of, or obligated with respect to, receivables,  
130 bank accounts, evidences of debt, securities, salaries, wages,  
131 commissions, compensation or other intangible personal property  
132 subject to such warrant, ordering such third person to forthwith  
133 deliver such property or pay the amount due or payable to the state  
134 collection agency which has made out such warrant provided such  
135 warrant may be issued only after the state collection agency making  
136 out such warrant has notified the person owning such property, in  
137 writing, of its intention to issue such warrant. The notice of intent shall  
138 be: (A) Given in person; (B) left at the dwelling or usual place of  
139 business of such person; or (C) sent by certified mail, return receipt  
140 requested, to such person's last-known address, not less than thirty  
141 days before the day the warrant is to be issued.

142 Sec. 4. Subdivision (1) of subsection (a) of section 12-226 of the  
143 general statutes is repealed and the following is substituted in lieu  
144 thereof:

145 (a) (1) Any company whose income, profits or earnings are changed,  
146 adjusted or corrected for any income year by any official of the United  
147 States government, or any agency thereof, in any respect affecting the  
148 tax imposed by this part, shall [within] provide notice of such change,  
149 adjustment or correction to the commissioner by filing, on or before the

150 date that is ninety days after the final determination of such change,  
151 adjustment or correction, or as otherwise required by the  
152 commissioner, [submit to the commissioner an affidavit disclosing  
153 such changes or adjustments,] an amended return under this chapter,  
154 and shall concede the accuracy of such determination or state wherein  
155 it is erroneous, and thereafter promptly furnish to the commissioner  
156 any information, schedules, records, documents or papers relating to  
157 such change, adjustment or correction as he requires. The time for  
158 filing such [affidavit] return may be extended by the commissioner  
159 upon due cause shown. If, upon examination, the commissioner finds  
160 that the company is liable for the payment of an additional tax, he  
161 shall, within a reasonable time from the receipt of such [affidavit]  
162 return, notify the company of the amount of such additional tax,  
163 together with interest thereon computed at the rate of one per cent per  
164 month or fraction thereof from the date when the original tax became  
165 due and payable. Within thirty days of the mailing of such notice, the  
166 company shall pay to the commissioner, in cash or by check, draft or  
167 money order, drawn to the order of the Commissioner of Revenue  
168 Services, the amount of such additional tax and interest. If, upon  
169 examination of such [affidavit] return and related information, the  
170 commissioner finds that the company has overpaid the tax due the  
171 state and has not received from or been allowed by the United States  
172 government, or any agency thereof, a credit or a benefit as a deduction  
173 or otherwise, for or by reason of such overpayment, the State Treasurer  
174 shall pay the company, upon order of the State Comptroller, the  
175 amount of such overpayment. If the commissioner determines that the  
176 company's claim of overpayment is not valid, either in whole or in  
177 part, he shall mail notice of the proposed disallowance in whole or in  
178 part of the claim to the company, which notice shall set forth briefly  
179 the commissioner's findings of fact and the basis of disallowance in  
180 each case decided in whole or in part adversely to the claimant. Sixty  
181 days after the date on which it is mailed, a notice of proposed  
182 disallowance shall constitute a final disallowance except only for such  
183 amounts as to which the company has filed, as provided in subdivision

184 (2) of this subsection, a written protest with the commissioner.

185 Sec. 5. Subsection (a) of section 12-229 of the general statutes is  
186 repealed and the following is substituted in lieu thereof:

187 (a) If any company fails to pay the amount of tax reported to be due  
188 on its return [or affidavit] within the time specified under the  
189 provisions of this part, there shall be imposed a penalty equal to ten  
190 per cent of such amount due and unpaid, or fifty dollars, whichever  
191 amount is greater. Such amount shall bear interest at the rate of one  
192 per cent per month or fraction thereof, from the due date of such tax  
193 until the date of payment.

194 Sec. 6. Subsection (a) of section 12-231 of the general statutes is  
195 repealed and the following is substituted in lieu thereof:

196 (a) Any person required under this part to pay any tax, or required  
197 under this part or by regulations adopted in accordance with the  
198 provisions of section 12-242 to make a return, [or affidavit,] keep any  
199 records or supply any information, who wilfully fails to pay such tax,  
200 make such return, [or affidavit,] keep such records or supply such  
201 information, at the time required by law or regulations, shall, in  
202 addition to any other penalty provided by law, be fined not more than  
203 one thousand dollars or imprisoned not more than one year or both.  
204 Notwithstanding the provisions of section 54-193, no person shall be  
205 prosecuted for a violation of the provisions of this subsection  
206 committed on or after July 1, 1997, except within three years next after  
207 such violation has been committed. As used in this subsection, person  
208 includes any officer or employee of a company under a duty to pay  
209 such tax, make such return, [or affidavit,] keep such records or supply  
210 such information.

211 Sec. 7. Subdivision (3) of subsection (c) of section 12-264 of the  
212 general statutes is repealed and the following is substituted in lieu  
213 thereof:

214 (3) Each electric distribution company shall, on or before the last  
215 day of January, April, July and October of each year, render to the  
216 Commissioner of Revenue Services [under oath of its treasurer, or the  
217 person performing the duties of treasurer, or of an authorized agent or  
218 officer,] a return on forms prescribed or furnished by the commissioner  
219 and signed by its treasurer, or the person performing the duties of  
220 treasurer, or of a authorized agent or officer, with such other  
221 information as the Commissioner of Revenue Services deems  
222 necessary.

223 Sec. 8. Subsection (a) of section 12-293a of the general statutes is  
224 repealed and the following is substituted in lieu thereof:

225 (a) Each licensed distributor and dealer shall file with the  
226 Commissioner of Revenue Services, on or before the twenty-fifth day  
227 of each month, a report for the calendar month immediately preceding  
228 in such form and containing such information as the commissioner  
229 may prescribe. The return shall be accompanied by a payment of the  
230 amount of the tax shown to be due thereon. The commissioner by  
231 regulation may exempt from the monthly reporting requirements of  
232 this section those distributors and dealers who do not acquire  
233 unstamped cigarettes and in lieu thereof he may require an [affidavit  
234 or] annual report, prescribed as to form by the Commissioner of  
235 Revenue Services and bearing notice to the effect that false statements  
236 made in such report are punishable, if, in his discretion, the  
237 enforcement of this chapter would not be adversely affected.

238 Sec. 9. Section 12-348 of the general statutes is repealed and the  
239 following is substituted in lieu thereof:

240 The Commissioner of Revenue Services may require, from any  
241 corporation, institution, society, association or trust claiming  
242 exemption from the succession tax upon any transfer to it pursuant to  
243 the provisions of section 12-347, as amended, or claiming a refund  
244 under the provisions of said section 12-347, as amended, [an affidavit  
245 under oath of] a declaration, prescribed as to form by the

246 Commissioner of Revenue Services and bearing notice to the effect that  
247 false statements made in such declaration are punishable, by its  
248 president or chief executive officer to the effect that no officer,  
249 member, shareholder or employee thereof is receiving or has  
250 previously received any pecuniary profit from the operation thereof  
251 except reasonable compensation for services in effecting one or more of  
252 the purposes for which it is formed or as a proper beneficiary of a  
253 strictly charitable purpose.

254 Sec. 10. Subdivision (1) of subsection (e) of section 12-349 of the  
255 general statutes is repealed and the following is substituted in lieu  
256 thereof:

257 (e) (1) If, within ten years immediately following the death of the  
258 decedent, real property in the gross estate of the decedent, classified as  
259 farm land in accordance with section 12-107c and the value of which,  
260 for purposes of the tax imposed under this chapter, was determined in  
261 accordance with provisions applicable to farm land in section 12-63, as  
262 amended, as provided in subsection (a) of this section, is transferred to  
263 anyone other than a beneficiary or distributee in class AA, A or B as  
264 provided in section 12-344 or is no longer classified as farm land in  
265 accordance with section 12-107c, such beneficiary or distributee shall  
266 be liable for a tax applicable to such transfer or change in classification.  
267 Said tax shall be in an amount equal to the difference between the  
268 amount of tax paid under this chapter with respect to such farm land  
269 and the amount of tax which would have been paid if such farm land  
270 had been assessed at fair market value for purposes of determining the  
271 amount of tax under this chapter, and accordingly, the succession tax  
272 return of the decedent shall include, in such manner as required by the  
273 Commissioner of Revenue Services for purposes of this section, a  
274 [sworn statement] declaration, prescribed as to form by the  
275 Commissioner of Revenue Services and bearing notice to the effect that  
276 false statements made in such declaration are punishable, as to the fair  
277 market value of such farm land, based on its highest and best use  
278 value, as of the date of death of the decedent. Said tax shall be paid to

279 the Commissioner of Revenue Services within sixty days following the  
280 date of such transfer or change in classification, and if not so paid shall  
281 bear interest at the rate of twelve per cent per annum, commencing at  
282 the expiration of such sixty days, until paid. The Commissioner of  
283 Revenue Services may, for cause shown, on written application of the  
284 beneficiary or distributee, filed with said commissioner at or before the  
285 expiration of such sixty days, extend the time for payment of said tax  
286 or any part thereof.

287 Sec. 11. Subsection (a) of section 12-359 of the general statutes is  
288 repealed and the following is substituted in lieu thereof:

289 (a) Except as herein provided, within six months after the death of  
290 the transferor the administrator, executor, administrator for tax  
291 purposes, administrator c.t.a. or administrator d.b.n. or administrator  
292 d.b.n., c.t.a. or, if there is no such fiduciary, any transferee of property,  
293 the transfer of which may be taxable under the provisions of section  
294 12-341, 12-341b, 12-342, 12-343, 12-345 or sections 12-345b to 12-345e,  
295 inclusive, shall file with the court of probate for the district within  
296 which the transferor resided at the date of his death or, if the transferor  
297 died a nonresident of this state, with the court of probate for the  
298 district within which the real estate or tangible personal property is  
299 situated, a [sworn] return, in duplicate, containing all items necessary  
300 to the correct computation and assessment of the tax. Such return shall  
301 include among other things: (1) A copy of the written instrument  
302 evidencing any transfer which may be taxable under the provisions of  
303 subsection (c) or (d) of section 12-341 or 12-341b or of section 12-342,  
304 12-343, 12-345 or sections 12-345b to 12-345e, inclusive, or, if there is no  
305 written evidence, a written statement fully disclosing the  
306 circumstances under which the transfer was made; provided, in the  
307 case of a transfer evidenced by an insurance, annuity, pension plan,  
308 profit-sharing plan or other similar contract with an insurance  
309 company, in lieu of such copy of the written instrument, a summary  
310 thereof may be so filed; (2) an appraisal by the fiduciary or transferee,  
311 at its fair market value on the date of decedent's death, of each item of

312 property, the transfer of which may be taxable under the provisions of  
313 section 12-341, 12-341b, 12-342, 12-343, 12-345 or sections 12-345b to 12-  
314 345e, inclusive; (3) a statement as to whether, or to what extent, the  
315 reported transfers are conceded taxable; (4) all items claimed as  
316 deductions under the provisions of section 12-350 or 12-352, with an  
317 explanation of the circumstances under which each deduction is  
318 allowable; (5) a statement containing the name and relationship to the  
319 transferor of each individual, corporation, institution, society,  
320 association or trust benefiting by reason of any succession or transfer  
321 of property as set forth in sections 12-340 to 12-343, inclusive, sections  
322 12-345 and 12-345b to 12-345e, inclusive, and the value of the estate  
323 passing to each such beneficiary; (6) such other information as the  
324 Commissioner of Revenue Services may deem necessary for the correct  
325 computation and assessment of the tax and the proper administration  
326 thereof. The fiduciary or transferee may correct any item on the  
327 succession tax return by filing with the probate court an amendment  
328 thereto in duplicate, [sworn to as the original return,] containing such  
329 changes in the return as the fiduciary desires to make, but no such  
330 amendment shall be permitted which would change the reported  
331 value of any property or withdraw a concession of taxability after a  
332 hearing has been held thereon pursuant to the provisions of subsection  
333 (b) of this section and no such amendment shall be permitted after the  
334 computation of the tax has become final. The probate court shall,  
335 within ten days of the filing of such return or an amendment thereto,  
336 forward a certified copy thereof to the Commissioner of Revenue  
337 Services.

338 Sec. 12. Section 12-390d of the general statutes is repealed and the  
339 following is substituted in lieu thereof:

340 If the amount of federal generation-skipping transfer tax reported  
341 on a federal generation-skipping transfer tax return is changed or  
342 corrected by the United States Internal Revenue Service or other  
343 competent authority, the person required to make and file the  
344 generation-skipping transfer tax return under this chapter shall

345 [within] provide notice of such change or correction to the  
346 commissioner by filing, on or before the date that is ninety days after  
347 the final determination of such change or correction, or as otherwise  
348 required by the commissioner, [submit to the commissioner an  
349 affidavit disclosing such change or correction] an amended return  
350 under this chapter, and shall concede the accuracy of such  
351 determination or state wherein it is erroneous, and thereafter promptly  
352 furnish to the commissioner any information, schedules, records,  
353 documents or papers relating to such change or correction as he  
354 requires. The time for filing such [affidavit] return may be extended by  
355 the commissioner upon due cause shown. If, upon examination, the  
356 commissioner finds that such person is liable for the payment of an  
357 additional tax, he shall, within a reasonable time from the receipt of  
358 such [affidavit] return, notify such person of the amount of such  
359 additional tax, together with interest thereon computed at the rate of  
360 one per cent per month or fraction thereof from the date when the  
361 original tax became due and payable. Within thirty days of the mailing  
362 of such notice, such person shall pay to the commissioner, in cash or by  
363 check, draft or money order, drawn to the order of the Commissioner  
364 of Revenue Services, the amount of such additional tax and interest. If,  
365 upon examination of such affidavit and related information, the  
366 commissioner finds that such person has overpaid the tax due the state  
367 and has not received from or been allowed by the United States  
368 government, or any agency thereof, a credit or a benefit, as a deduction  
369 or otherwise, for or by reason of such overpayment, such person shall  
370 be paid by the State Treasurer, upon order of the Comptroller, the  
371 amount of such overpayment.

372       Sec. 13. Subsection (a) of section 12-398 of the general statutes is  
373 repealed and the following is substituted in lieu thereof:

374       (a) If the amount of federal estate tax reported on an estate's federal  
375 estate tax return is changed or corrected by the United States Internal  
376 Revenue Service or other competent authority, the person required to  
377 make and file the estate tax return under this chapter shall [, within]

378 provide notice of such change or correction to the commissioner by  
379 filing, on or before the date that is ninety days after the final  
380 determination of such change or correction, or as otherwise required  
381 by the commissioner, [submit to the commissioner an affidavit  
382 disclosing such change or correction] an amended return under this  
383 chapter, and shall concede the accuracy of such determination or state  
384 wherein it is erroneous, and thereafter promptly furnish to the  
385 commissioner any information, schedules, records, documents or  
386 papers relating to such change or correction as he requires. The time  
387 for filing such [affidavit] return may be extended by the commissioner  
388 upon due cause shown. If, upon examination, the commissioner finds  
389 that the estate is liable for the payment of an additional tax, he shall,  
390 within a reasonable time from the receipt of such [affidavit] return,  
391 notify the estate of the amount of such additional tax, together with  
392 interest thereon computed at the rate of one per cent per month or  
393 fraction thereof from the date when the original tax became due and  
394 payable. Within thirty days of the mailing of such notice, the estate  
395 shall pay to the commissioner, in cash or by check, draft or money  
396 order, drawn to the order of the Commissioner of Revenue Services,  
397 the amount of such additional tax and interest. If, upon examination of  
398 such [affidavit] return and related information, the commissioner finds  
399 that the estate has overpaid the tax due the state and has not received  
400 from or been allowed by the United States government, or any agency  
401 thereof, a credit or a benefit, as a deduction or otherwise, for or by  
402 reason of such overpayment, the estate shall be paid by the State  
403 Treasurer, upon order of the Comptroller, the amount of such  
404 overpayment.

405       Sec. 14. Subdivision (3) of subsection (b) of section 12-408c of the  
406 general statutes is repealed and the following is substituted in lieu  
407 thereof:

408       (3) The permit issued under subdivision (2) of this subsection shall  
409 authorize the holder to the extent and in the manner specified in the  
410 regulations adopted under said subdivision (2), to purchase tangible

411 personal property from a retailer on which the taxes imposed by this  
412 chapter shall not be payable. The regulations adopted under this  
413 subsection shall require (A) [an affidavit] a declaration, prescribed as  
414 to form by the commissioner [, affirming] and bearing notice to the  
415 effect that false statements made in such declaration are punishable,  
416 stating that such property is purchased for a purpose permitted by this  
417 subsection, (B) a report to be submitted with, and to be a part of, each  
418 return that is required to be filed under section 12-414 by the holder of  
419 such permit detailing the persons from whom such tangible personal  
420 property was purchased during the period covered by such return, the  
421 quantities in which and the dates on which such property was  
422 purchased and any other information deemed necessary by the  
423 commissioner, and (C) periodic registration, at least annually, for the  
424 purpose of the issuance of a permit, including procedures relating to  
425 the application for the permit [,] and notice concerning the penalty for  
426 misuse of the permit. [, and required notarization of the application for  
427 such permit.]

428 Sec. 15. Subsection (60) of section 12-412 of the general statutes, as  
429 amended by section 21 of public act 99-173, is repealed and the  
430 following is substituted in lieu thereof:

431 (60) The sale of any motor vehicle or vessel, as defined in section 15-  
432 127, in this state when the purchaser of such motor vehicle or vessel is  
433 not a resident of this state and does not maintain a permanent place of  
434 abode in this state, provided such motor vehicle or vessel is not  
435 presented for registration with the Department of Motor Vehicles in  
436 this state and such purchaser submits [any affidavit] a declaration,  
437 prescribed as to form by the commissioner and bearing notice to the  
438 effect that false statements made in such declaration are punishable, or  
439 other evidence as may be requested by the Commissioner of Revenue  
440 Services concerning such purchaser's residency or place of abode.

441 Sec. 16. Subdivision (3) of subsection (a) of section 12-458 of the  
442 general statutes is repealed and the following is substituted in lieu

443 thereof:

444 (3) Said tax shall not be payable on such fuel as may have been (A)  
445 sold to the United States, (B) sold to a municipality of this state, (i) for  
446 use by any contractor performing a service for such municipality in  
447 accordance with a contract, provided such fuel is used by such  
448 contractor exclusively for the purposes of and in accordance with such  
449 contract or (ii) for use exclusively in a school bus, as defined in section  
450 14-275, (C) sold to a municipality of this state, a transit district of this  
451 state, or this state, at other than a retail outlet, for governmental  
452 purposes and for use in vehicles owned and operated, or leased and  
453 operated by such municipality, such transit district or this state, (D)  
454 sold to a person licensed as a distributor in this state under section 12-  
455 456, (E) transferred from storage within this state to some point  
456 without this state, (F) sold to the holder of a permit issued under  
457 section 12-458a for sale or use without this state, (G) sold to the holder  
458 of a permit issued under subsection (63) of section 12-412, provided (i)  
459 such fuel is not used in motor vehicles registered or required to be  
460 registered to operate upon the public highways of this state, unless  
461 such fuel is used in motor vehicles registered exclusively for farming  
462 purposes, (ii) such fuel is not delivered, upon such sale, to a tank in  
463 which such person keeps fuel for personal and farm use and (iii) [an  
464 affidavit] a statement, prescribed as to form by the Commissioner of  
465 Revenue Services [, affirming] and bearing notice to the effect that false  
466 statements made under this section are punishable, that such fuel is  
467 used exclusively for farming purposes, is submitted by such person to  
468 the distributor, (H) sold exclusively to furnish power for an industrial  
469 plant in the actual fabrication of finished products to be sold, or for the  
470 fishing industry, (I) sold exclusively for heating purposes, (J) sold  
471 exclusively to furnish gas, water, steam or electricity, if delivered to  
472 consumers through mains, lines or pipes, (K) sold to the owner or  
473 operator of an aircraft, as defined in section 15-34, exclusively for  
474 aviation purposes, provided (i) for purposes of this subdivision,  
475 "aviation purposes" means for the purpose of powering an aircraft or  
476 an aircraft engine, (ii) such fuel is delivered, upon such sale, to a tank

477 in which fuel is kept exclusively for aviation purposes, and (iii) [an  
478 affidavit] a statement, prescribed as to form by the Commissioner of  
479 Revenue Services [, affirming] and bearing notice to the effect that false  
480 statements made under this section are punishable, that such fuel is  
481 used exclusively for aviation purposes, is submitted by such person to  
482 the distributor, (L) sold to a dealer who is licensed under section 12-  
483 462 and whose place of business is located upon an established airport  
484 within this state, or (M) diesel fuel sold exclusively for use in portable  
485 power system generators that are larger than one hundred fifty  
486 kilowatts.

487 Sec. 17. Section 12-646 of the general statutes is repealed and the  
488 following is substituted in lieu thereof:

489 The Commissioner of Revenue Services may require the donor or  
490 the donee to show the property subject to the tax, as provided in this  
491 chapter, to the commissioner upon demand and may employ a suitable  
492 person to appraise the property. The donor shall [make and subscribe  
493 his oath] submit a declaration, prescribed as to form by the  
494 Commissioner of Revenue Services and bearing notice to the effect that  
495 false statements made in such declaration are punishable, that the  
496 property shown by him on his return to the commissioner includes all  
497 of the property transferred by gift for the calendar year involved and  
498 not excluded herein.

499 Sec. 18. Subsection (b) of section 12-646a of the general statutes is  
500 repealed and the following is substituted in lieu thereof:

501 (b) If, within ten years immediately following a transfer to a donee  
502 where, as provided in subsection (a) of this section, the value is  
503 determined in accordance with the provisions of section 12-63, as  
504 amended, such farm land is transferred by the donee to a party other  
505 than the donee's lineal descendant or the spouse thereof or is no longer  
506 classified as farm land in accordance with section 12-107c, such donee  
507 or, if such land was transferred to such donee's lineal descendant or  
508 the spouse thereof, such descendant or the spouse thereof shall be

509 liable for the difference between the tax that was due from the donor  
510 under the provisions of subsection (a) of this section and the tax that  
511 would have been due if such land had been valued based upon its fair  
512 market value, rather than at its value as land classified as farm land  
513 pursuant to section 12-107c, at the time of such transfer by such donor.  
514 The gift tax return of the donor shall include, in such manner as  
515 required by the Commissioner of Revenue Services for purposes of this  
516 section, a [sworn statement] declaration, prescribed as to form by the  
517 Commissioner of Revenue Services and bearing notice to the effect that  
518 false statements made in such declaration are punishable, as to the fair  
519 market value of such farm land, based on its highest and best use  
520 value, as of the time of such transfer by such donor. The tax imposed  
521 under this subsection shall be paid to the commissioner within sixty  
522 days following the date of such transfer or change in classification, and  
523 if not so paid shall bear interest at the rate of one per cent per month or  
524 fraction thereof, commencing at the expiration of such sixty days, until  
525 paid. The commissioner may, for cause shown, on written application  
526 of such donee or, if such land was transferred to the donee's lineal  
527 descendant or the spouse thereof, such descendant or the spouse  
528 thereof, filed with said commissioner at or before the expiration of  
529 such sixty days, extend the time for payment of said tax or any part  
530 thereof.

531 Sec. 19. Subdivision (9) of section 53a-3 of the general statutes is  
532 repealed and the following is substituted in lieu thereof:

533 (9) "Peace officer" means a member of the Division of State Police  
534 within the Department of Public Safety or an organized local police  
535 department, a chief inspector or inspector in the Division of Criminal  
536 Justice, a sheriff, deputy sheriff or special deputy sheriff, a  
537 conservation officer or special conservation officer, as defined in  
538 section 26-5, a constable who performs criminal law enforcement  
539 duties, a special policeman appointed under section 29-18, 29-18a, 29-  
540 18b or 29-19, an adult probation officer, appointed under section 54-  
541 104, an official of the Department of Correction authorized by the

542 Commissioner of Correction to make arrests in a correctional  
543 institution or facility, any investigator in the investigations unit of the  
544 Office of the State Treasurer or any special agent of the federal  
545 government authorized to enforce the provisions of Title 21 of the  
546 United States Code.

547 Sec. 20. This act shall take effect from its passage.

***Statement of Purpose:***

To require that taxpayers keep records; to modify Department of Revenue Services confidentiality statutes to enable the department to provide the tourism districts with certain information; to allow tax warrants to be served by electronic mail or facsimile machine; to eliminate certain affidavit requirements in various tax statutes; and to add special policemen for the Department of Revenue Services to the list of peace officers, providing them with certain protections in the line of duty.

*[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.]*