



An Act Concerning Technical Revisions To Validating Provisions.

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

1 Section 1. Subsection (b) of section 4 of public act 99-238 is repealed
2 and the following is substituted in lieu thereof:

3 (b) Insubstantial defects. Any deed, mortgage, lease, power of
4 attorney, release, assignment or other instrument made for the purpose
5 of conveying, leasing, mortgaging or affecting any interest in real
6 property in this state recorded after January 1, 1997, which instrument
7 contains any one or more of the following defects or omissions is as
8 valid as if it had been executed without the defect or omission:

9 (1) The instrument contains an incorrect statement of the date of
10 execution or omits the date of execution;

11 (2) The instrument contains an execution date or other date that is
12 later than the date of recording;

13 (3) The instrument transfers an interest in land by reference to a
14 filed map or subdivision plan and the map or plan does not comply
15 [with any statutory requirement] as to preparation, form, certification,
16 approval or filing with any requirement of any special or general law,
17 municipal ordinance or regulation;

18 (4) The instrument conveys an interest in a lot or parcel of land in a
19 subdivision that was not submitted for approval or that was submitted
20 for approval but was not approved;

21 (5) The record does not disclose the date of recording;

22 (6) The instrument does not disclose any statutorily required
23 signature of the town clerk;

24 (7) The instrument does not contain a statement of consideration;

25 (8) The instrument fails to state the town and state in which the real
26 property described in the instrument is located;

27 [(8)] (9) In the case of a conveyance by a corporation, limited
28 liability company, partnership, limited partnership or limited liability
29 partnership, or by any other entity authorized to hold and convey title
30 to real property within this state, the instrument designated such
31 entity as the grantor but fails to disclose the authority of the individual
32 who executes and acknowledges the instrument;

33 [(9)] 10) In the case of a committee deed, the judge's approval of the
34 sale incorrectly states or fails to state the date of approval of the sale.

35 Sec. 2. (NEW) No use or occupancy of or the presence of any
36 building or other structure erected on a lot or lots either shown on a
37 filed or recorded map or plan of subdivision or located in a
38 subdivision created by the physical division of land into three or more
39 parcels shall be deemed illegal or invalid because the lot or lots on
40 which any building or other structure is located is not shown on an
41 approved plan of subdivision or because the filed or recorded map or
42 plan of subdivision fails in any manner to comply with any
43 requirement of any general or special law, ordinance or regulation.

44 Sec. 3. Section 8 of public act 99-238 is repealed and the following is
45 substituted in lieu thereof:

46 [This act] Public act 99-238 shall take effect from its passage, except

47 that sections 1 to 6, inclusive, shall take effect July 1, 2000, and sections
48 1, 2 and 3, subsection (f) of section 4 and sections 5 and 6 shall apply to
49 errors, irregularities and omissions occurring on or after January 1,
50 1999.

51 Sec. 4. Notwithstanding any provision of the general statutes and
52 substitute house joint resolution number 29 of the 1990 regular session
53 of the General Assembly, the actions of the Criminal Justice
54 Commission at its meeting on June 5, 1996, authorizing the
55 expenditure of funds, is hereby validated.

56 Sec. 5. This act shall take effect from its passage, except that sections
57 1 to 3, inclusive, shall take effect July 1, 2000.

Statement of Legislative Commissioners:

In section 2, "or subdivision" was changed to "of subdivision" for accuracy.

JUD Committee Vote: Yea 40 Nay 0 JFS-LCO