



General Assembly

**Substitute Bill No. 5304**

January Session, 2005

\*        HB05304PD        040105        \*

**AN ACT CONCERNING PAYMENTS IN LIEU OF TAXES FOR MUNICIPALITIES WITH NONPROFIT SKILLED NURSING FACILITIES, MUNICIPAL REIMBURSEMENT FOR COSTS IN RESPONSE TO TRANSMISSION LINE UPGRADE PROPOSALS AND PARKLAND LOCATED IN TWO MUNICIPALITIES.**

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

1       Section 1. Section 12-20a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2005*):

3       (a) (1) On or before January first, annually, the Secretary of the  
4 Office of Policy and Management shall determine the amount due to  
5 each municipality in the state, in accordance with this section, as a  
6 state grant in lieu of taxes with respect to real property owned by any  
7 (A) private nonprofit institution of higher learning, [or any] (B)  
8 nonprofit general hospital facility, [or] (C) free standing chronic  
9 disease hospital, [or an] (D) urgent care facility that operates for at  
10 least twelve hours a day and that had been the location of a nonprofit  
11 general hospital for at least a portion of calendar year 1996, or (E)  
12 nonprofit skilled nursing facility to receive payments in lieu of taxes  
13 for such property, exclusive of any such facility operated by the federal  
14 government, except a campus of the United States Department of  
15 Veterans Affairs Connecticut Healthcare Systems, or the state of  
16 Connecticut or any subdivision thereof.

17       (2) As used in this section "private nonprofit institution of higher  
18 learning" means any such institution, as defined in subsection (a) of  
19 section 10a-34, or any independent college or university, as defined in  
20 section 10a-37, that is engaged primarily in education beyond the high  
21 school level, and offers courses of instruction for which college or  
22 university-level credit may be given or may be received by transfer,  
23 the property of which is exempt from property tax under any of the  
24 subdivisions of section 12-81; "nonprofit general hospital facility"  
25 means any such facility which is used primarily for the purpose of  
26 general medical care and treatment, exclusive of any hospital facility  
27 used primarily for the care and treatment of special types of disease or  
28 physical or mental conditions; [and] "free standing chronic disease  
29 hospital" means a facility which provides for the care and treatment of  
30 chronic diseases, excluding any such facility having an ownership  
31 affiliation with and operated in the same location as a chronic and  
32 convalescent nursing home and "skilled nursing facility" shall have the  
33 same meaning as "skilled nursing facility", as defined in Section 1395x,  
34 Chapter 7 of Title 42, United States Code.

35       (3) As used in this section and section 12-20b, "municipality" means  
36 any town, consolidated town and city, consolidated town and  
37 borough, borough, district, as defined in section 7-324, and any city not  
38 consolidated with a town.

39       (b) The grant payable to any municipality under the provisions of  
40 subsection (a) of this section in the state fiscal year commencing July 1,  
41 1999, and in each fiscal year thereafter, shall be equal to seventy-seven  
42 per cent of the property taxes which, except for any exemption  
43 applicable to [any such institution of higher education or general  
44 hospital facility] such real property under the provisions of section 12-  
45 81, would have been paid with respect to such exempt real property on  
46 the assessment list in such municipality for the assessment date two  
47 years prior to the commencement of the state fiscal year in which such  
48 grant is payable. The amount of the grant payable to each municipality  
49 in any year in accordance with this section shall be reduced  
50 proportionately in the event that the total of such grants in such year

51 exceeds the amount appropriated for the purposes of this section with  
52 respect to such year.

53 (c) Notwithstanding the provisions of subsection (b) of this section,  
54 the amount of the grant payable to any municipality under the  
55 provisions of this section with respect to a campus of the United States  
56 Department of Veterans Affairs Connecticut Healthcare Systems shall  
57 be as follows: (1) For the fiscal year ending June 30, 2007, twenty per  
58 cent of the amount payable in accordance with [said] subsection (b) of  
59 this section; (2) for the fiscal year ending June 30, 2008, forty per cent of  
60 such amount; (3) for the fiscal year ending June 30, 2009, sixty per cent  
61 of such amount; (4) for the fiscal year ending June 30, 2010, eighty per  
62 cent of such amount; (5) for the fiscal year ending June 30, 2011, and  
63 each fiscal year thereafter, one hundred per cent of such amount.

64 [(d) As used in this section and section 12-20b, the word  
65 "municipality" means any town, consolidated town and city,  
66 consolidated town and borough, borough, district, as defined in  
67 section 7-324, and any city not consolidated with a town.]

68 Sec. 2. (NEW) (*Effective from passage*) The applicant for any facility  
69 described in subdivision (1) of subsection (a) of section 16-50i of the  
70 general statutes shall reimburse each municipality participating in  
71 proceedings before the Connecticut Siting Council on the application.  
72 The amount of the reimbursement shall cover the reasonable costs of  
73 such participation, as determined by the Department of Public Utility  
74 Control.

75 Sec. 3. (NEW) (*Effective October 1, 2005, and applicable to assessment*  
76 *years commencing on or after October 1, 2005*) Notwithstanding any  
77 provision of the general statutes, no municipality shall be required to  
78 make a property tax payment or payment in lieu of taxes to an adjacent  
79 municipality with respect to any real property, and related  
80 improvements and personal property thereon, that is parkland, owned  
81 by the municipality liable for such payment and located in the adjacent  
82 municipality, provided such parkland is open to the residents of the

83 adjacent municipality under the same terms and conditions as the  
84 residents of the municipality that owns the parkland.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	12-20a
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>October 1, 2005, and applicable to assessment years commencing on or after October 1, 2005</i>	New section

**PD**      *Joint Favorable Subst.*