



General Assembly

January Session, 2005

Raised Bill No. 6739

LCO No. 3498

03498 _____ GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING THE PROCESSING OF GRANT PAYMENTS TO MUNICIPALITIES.

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

1 Section 1. Section 12-94a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 On or before July first, annually, the tax collector of each
4 municipality shall certify to the Secretary of the Office of Policy and
5 Management, on a form furnished by said secretary, the amount of tax
6 revenue which such municipality, except for the provisions of
7 subdivision (55) of section 12-81, would have received, together with
8 such supporting information as said secretary may require, except that
9 for the assessment year commencing October 1, 2003, such certification
10 shall be made to the secretary on or before August 1, 2004. Any
11 municipality which neglects to transmit to said secretary such claim
12 and supporting documentation as required by this section shall forfeit
13 two hundred fifty dollars to the state, provided said secretary may
14 waive such forfeiture in accordance with procedures and standards
15 adopted by regulation in accordance with chapter 54. Said secretary

16 shall review each such claim as provided in section 12-120b. Any
17 claimant aggrieved by the results of the secretary's review shall have
18 the rights of appeal as set forth in section 12-120b. The secretary shall,
19 on or before December [first] fifteenth, annually, certify to the
20 Comptroller the amount due each municipality under the provisions of
21 this section, including any modification of such claim made prior to
22 December [first] fifteenth, and the Comptroller shall draw an order on
23 the Treasurer on [or before the fifteenth the day of December] the fifth
24 business day following and the Treasurer shall pay the amount thereof
25 to such municipality on or before the thirty-first day of December
26 following. If any modification is made as the result of the provisions of
27 this section on or after the December [first] fifteenth following the date
28 on which the tax collector has provided the amount of tax revenue in
29 question, any adjustments to the amount due to any municipality for
30 the period for which such modification was made shall be made in the
31 next payment the Treasurer shall make to such municipality pursuant
32 to this section. For the purposes of this section, "municipality" means a
33 town, city, borough, consolidated town and city or consolidated town
34 and borough. The provisions of this section shall not apply to the
35 assessment year commencing on October 1, 2002. In the fiscal year
36 commencing July 1, 2004, and in each fiscal year thereafter, the amount
37 of the grant payable to each municipality in accordance with this
38 section shall be reduced proportionately in the event that the total
39 amount of the grants payable to all municipalities exceeds the amount
40 appropriated.

41 Sec. 2. Section 32-9s of the general statutes is repealed and the
42 following is substituted in lieu thereof (*Effective from passage*):

43 The state shall make an annual grant payment to each municipality,
44 to each district, as defined in section 7-325, which is located in a
45 distressed municipality, targeted investment community or enterprise
46 zone and to each special services district created pursuant to chapter
47 105a which is located in a distressed municipality, targeted investment
48 community or enterprise zone in the amount of fifty per cent of the

49 amount of that tax revenue which the municipality or district would
50 have received except for the provisions of subdivisions (59), (60) and
51 (70) of section 12-81. On or before the first day of August of each year,
52 each municipality and district shall file a claim with the Secretary of
53 the Office of Policy and Management for the amount of such grant
54 payment to which such municipality or district is entitled under this
55 section. The claim shall be made on forms prescribed by the secretary
56 and shall be accompanied by such supporting information as the
57 secretary may require. Any municipality or district which neglects to
58 transmit to the secretary such claim and supporting documentation as
59 required by this section shall forfeit two hundred fifty dollars to the
60 state, provided the secretary may waive such forfeiture in accordance
61 with procedures and standards adopted by regulation in accordance
62 with chapter 54. The secretary shall review each such claim as
63 provided in section 12-120b. Any claimant aggrieved by the results of
64 the secretary's review shall have the rights of appeal as set forth in
65 section 12-120b. The secretary shall, on or before the December [first]
66 fifteenth next succeeding the deadline for the receipt of such claims,
67 certify to the Comptroller the amount due under this section, including
68 any modification of such claim made prior to December [first]
69 fifteenth, to each municipality or district which has made a claim
70 under the provisions of this section. The Comptroller shall draw an
71 order on the Treasurer on or before the [following December fifteenth]
72 fifth business day following December fifteenth, and the Treasurer
73 shall pay the amount thereof to each such municipality or district on or
74 before the following December thirty-first. If any modification is made
75 as the result of the provisions of this section on or after the December
76 first following the date on which the municipality or district has
77 provided the amount of tax revenue in question, any adjustment to the
78 amount due to any municipality or district for the period for which
79 such modification was made shall be made in the next payment the
80 Treasurer shall make to such municipality or district pursuant to this
81 section. In the fiscal year commencing July 1, 2003, and in each fiscal
82 year thereafter, the amount of the grant payable to each municipality

83 and district in accordance with this section shall be reduced
84 proportionately in the event that the total amount of the grants
85 payable to all municipalities and districts exceeds the amount
86 appropriated.

87 Sec. 3. Subsection (g) of section 12-170aa of the general statutes is
88 repealed and the following is substituted in lieu thereof (*Effective from*
89 *passage*):

90 (g) On or before July first, annually, each municipality shall submit
91 to the secretary, a claim for the tax reductions approved under this
92 section in relation to the assessment list of October first immediately
93 preceding. On or after December 1, 1987, any municipality which
94 neglects to transmit to the secretary the claim as required by this
95 section shall forfeit two hundred fifty dollars to the state provided the
96 secretary may waive such forfeiture in accordance with procedures
97 and standards established by regulations adopted in accordance with
98 chapter 54. Subject to procedures for review and approval of such data
99 pursuant to section 12-120b, said secretary shall, on or before
100 December [first] fifteenth next following, certify to the Comptroller the
101 amount due each municipality as reimbursement for loss of property
102 tax revenue related to the tax reductions allowed under this section.
103 The Comptroller shall draw an order on the Treasurer on or before the
104 [fifteenth day of December] fifth business day following December
105 fifteenth and the Treasurer shall pay the amount due each
106 municipality not later than the thirty-first day of December. Any
107 claimant aggrieved by the results of the secretary's review shall have
108 the rights of appeal as set forth in section 12-120b. The amount of the
109 grant payable to each municipality in any year in accordance with this
110 section shall be reduced proportionately in the event that the total of
111 such grants in such year exceeds the amount appropriated for the
112 purposes of this section with respect to such year.

113 Sec. 4. Subsection (j) of section 12-170aa of the general statutes is
114 repealed and the following is substituted in lieu thereof (*Effective from*

115 *passage*):

116 (j) (1) Notwithstanding the intent in subsections (a) to (i), inclusive,
117 of this section to provide for benefits in the form of property tax
118 reduction applicable to persons liable for payment of such property tax
119 and qualified in accordance with requirements related to age and
120 income as provided in subsection (b) of this section, a certain annual
121 benefit, determined in amount under the provisions of subsections (c)
122 and (d) of this section but payable in a manner as prescribed in this
123 subsection, shall be provided with respect to any person who (A) is
124 qualified in accordance with said requirements related to age and
125 income as provided in subsection (b) of this section, including
126 provisions concerning such person's spouse, and (B) is a resident of a
127 dwelling unit within a multiple-dwelling complex containing dwelling
128 units for occupancy by certain elderly persons under terms of a
129 contract between such resident and the owner of such complex, in
130 accordance with which contract such resident occupies a certain
131 dwelling unit subject to the express provision that such resident has no
132 legal title, interest or leasehold estate in the real or personal property
133 of such complex, and under the terms of which contract such resident
134 agrees to pay the owner of the complex a fee, as a condition precedent
135 to occupancy and a monthly or other such periodic fee thereafter as a
136 condition of continued occupancy. In no event shall any such resident
137 be qualified for benefits payable in accordance with this subsection if,
138 as determined by the assessor in the municipality in which such
139 complex is situated, such resident's contract with the owner of such
140 complex, or occupancy by such resident [(1)] (i) confers upon such
141 resident any ownership interest in the dwelling unit occupied or in
142 such complex, or [(2)] (ii) establishes a contract of lease of any type for
143 the dwelling unit occupied by such resident.

144 (2) The amount of annual benefit payable in accordance with this
145 subsection to any such resident, qualified as provided in subdivision
146 (1) of this subsection, shall be determined in relation to an assumed
147 amount of property tax liability applicable to the assessed value for the

148 dwelling unit which such resident occupies, as determined by the
149 assessor in the municipality in which such complex is situated.
150 Annually, not later than the first day of June, the assessor in such
151 municipality, upon receipt of an application for such benefit submitted
152 in accordance with this subsection by any such resident, shall
153 determine, with respect to the assessment list in such municipality for
154 the assessment year commencing October first immediately preceding,
155 the portion of the assessed value of the entire complex, as included in
156 such assessment list, attributable to the dwelling unit occupied by such
157 resident. The assumed property tax liability for purposes of this
158 subsection shall be the product of such assessed value and the mill rate
159 in such municipality as determined for purposes of property tax
160 imposed on said assessment list for the assessment year commencing
161 October first immediately preceding. The amount of benefit to which
162 such resident shall be entitled for such assessment year shall be
163 equivalent to the amount of tax reduction for which such resident
164 would qualify, considering such assumed property tax liability to be
165 the actual property tax applicable to such resident's dwelling unit and
166 such resident as liable for the payment of such tax, in accordance with
167 the schedule of qualifying income and tax reduction as provided in
168 subsection (c) of this section, subject to provisions concerning
169 maximum allowable benefit for any assessment year under subsections
170 (c) and (d) of this section. The amount of benefit as determined for
171 such resident in respect to any assessment year shall be payable by the
172 state as a grant to such resident equivalent to the amount of property
173 tax reduction to which such resident would be entitled under
174 subsections (a) to (i), inclusive, of this section if such resident were the
175 owner of such dwelling unit and qualified for tax reduction benefits
176 under said subsections (a) to (i), inclusive.

177 (3) Any such resident entitled to a grant as provided in subdivision
178 (2) of this subsection shall be required to submit application for such
179 grant to the assessor in the municipality in which such resident resides
180 at any time from February first to and including the fifteenth day of
181 May in the year in which such grant is claimed, on a form prescribed

182 and furnished for such purpose by the Secretary of the Office of Policy
183 and Management. Any such resident submitting application for such
184 grant shall be required to present to the assessor, in substantiation of
185 such application, a copy of such resident's federal income tax return,
186 and if not required to file a federal income tax return, such other
187 evidence of qualifying income, receipts for money received or
188 cancelled checks, or copies thereof, and any other evidence the
189 assessor may require. Not later than the first day of July in such year
190 the assessor shall submit to the Secretary of the Office of Policy and
191 Management (A) a copy of the application prepared by such resident,
192 together with such resident's federal income tax return, if required to
193 file such a return, and any other information submitted in relation
194 thereto, (B) determinations of the assessor concerning the assessed
195 value of the dwelling unit in such complex occupied by such resident,
196 and (C) the amount of such grant approved by the assessor. Said
197 secretary, upon approving such grant, shall certify the amount thereof
198 and not later than the [first] fifteenth day of September immediately
199 following submit approval for payment of such grant to the State
200 Comptroller. Not later than [fifteen] five business days immediately
201 following receipt of such approval for payment, the State Comptroller
202 shall draw his order upon the State Treasurer and the Treasurer shall
203 pay the amount of the grant to such resident not later than the first day
204 of October immediately following.

205 Sec. 5. Section 12-129d of the general statutes is repealed and the
206 following is substituted in lieu thereof (*Effective from passage*):

207 (a) On or before January first, annually, the tax collector of each
208 municipality shall certify to the Secretary of the Office of Policy and
209 Management, on a form furnished by the secretary, the amount of tax
210 revenue which such municipality, except for the provisions of section
211 12-129b, would have received, together with such supporting
212 information as said secretary may require. On or after December 1,
213 1989, any municipality which neglects to transmit the claim and
214 supporting information as required by this section shall forfeit two

215 hundred fifty dollars to the state, provided said secretary may waive
216 such forfeiture in accordance with procedures and standards adopted
217 by regulation in accordance with chapter 54. Said secretary shall
218 review each such claim in accordance with the procedure set forth in
219 section 12-120b. Any claimant aggrieved by the results of the
220 secretary's review shall have the rights of appeal as set forth in section
221 12-120b.

222 (b) The Secretary of the Office of Policy and Management shall, on
223 or before [August fifteenth] September first, annually, certify to the
224 Comptroller the amount due each municipality under the provisions of
225 subsection (a) of this section, including any modification of such claim
226 made prior to [August fifteenth] September first, and the Comptroller
227 shall draw an order on the Treasurer on or before the [first day of
228 September following] fifth business day following September first and
229 the Treasurer shall pay the amount thereof to such municipality on or
230 before the fifteenth day of September following. If any modification is
231 made as the result of the provisions of subsection (a) of this section on
232 or after the August fifteenth following the date on which the tax
233 collector has provided the amount of tax revenue in question, any
234 adjustments to the amount due to any municipality for the period for
235 which such modification was made shall be made in the next payment
236 the Treasurer shall make to such municipality pursuant to this section.

237 Sec. 6. Section 12-20b of the general statutes is repealed and the
238 following is substituted in lieu thereof (*Effective from passage*):

239 (a) Not later than April first in each year, any municipality to which
240 a grant is payable under the provisions of section 12-20a shall provide
241 the Secretary of the Office of Policy and Management with the assessed
242 valuation of the tax-exempt real property as of the immediately
243 preceding October first, adjusted in accordance with any gradual
244 increase in or deferment of assessed values of real property
245 implemented in accordance with section 12-62c or subsection (e) of
246 section 12-62a, which is required for computation of such grant. Any

247 municipality which neglects to transmit to the Secretary of the Office of
248 Policy and Management the assessed valuation as required by this
249 section shall forfeit two hundred fifty dollars to the state, provided the
250 secretary may waive such forfeiture in accordance with procedures
251 and standards adopted by regulation in accordance with chapter 54.
252 Said secretary may, on or before the first day of August of the state
253 fiscal year in which such grant is payable, reevaluate any such
254 property when, in his judgment, the valuation is inaccurate and shall
255 notify such municipality of such reevaluation. Any municipality
256 aggrieved by the action of said secretary under the provisions of this
257 section may, not later than ten business days following receipt of such
258 notice, appeal to the secretary for a hearing concerning such
259 reevaluation, provided such appeal shall be in writing and shall
260 include a statement as to the reasons for such appeal. The secretary
261 shall, not later than ten business days following receipt of such appeal,
262 grant or deny such hearing by notification in writing, including in the
263 event of a denial, a statement as to the reasons for such denial. If any
264 municipality is aggrieved by the action of the secretary following such
265 hearing or in denying any such hearing, the municipality may within
266 two weeks of such notice, appeal to the superior court for the judicial
267 district in which the municipality is located. Any such appeal shall be
268 privileged. Said secretary shall certify to the Comptroller the amount
269 due each municipality under the provisions of section 12-20a, or under
270 any recomputation occurring prior to September [first] fifteenth which
271 may be effected as the result of the provisions of this section, and the
272 Comptroller shall draw his order on the Treasurer on or before the
273 [fifteenth day of September following] fifth business day following
274 September fifteenth and the Treasurer shall pay the amount thereof to
275 such municipality on or before the thirtieth day of September
276 following. If any recomputation is effected as the result of the
277 provisions of this section on or after the January first following the
278 date on which the municipality has provided the assessed valuation in
279 question, any adjustments to the amount due to any municipality for
280 the period for which such adjustments were made shall be made in the

281 next payment the Treasurer shall make to such municipality pursuant
282 to this section.

283 (b) Notwithstanding the provisions of section 12-20a or subsection
284 (a) of this section, the amount due the municipality of Branford, on or
285 before the thirtieth day of September, annually, with respect to the
286 Connecticut Hospice, in Branford, shall be one hundred thousand
287 dollars, which amount shall be paid from the annual appropriation,
288 from the General Fund, for reimbursement to towns for loss of taxes on
289 private tax-exempt property.

290 Sec. 7. Section 3-55i of the general statutes is repealed and the
291 following is substituted in lieu thereof (*Effective from passage*):

292 There is established the "Mashantucket Pequot and Mohegan Fund"
293 which shall be a separate nonlapsing fund. All funds received by the
294 state of Connecticut from the Mashantucket Pequot Tribe pursuant to
295 the joint memorandum of understanding entered into by and between
296 the state and the tribe on January 13, 1993, as amended on April 30,
297 1993, and any successor thereto, shall be deposited in the General
298 Fund. During the fiscal year ending June 30, 2000, and each fiscal year
299 thereafter, one hundred thirty-five million dollars, received by the
300 state from the tribe pursuant to said joint memorandum of
301 understanding, as amended, and any successor thereto, shall be
302 transferred to the Mashantucket Pequot and Mohegan Fund and shall
303 be distributed by the Office of Policy and Management, during said
304 fiscal year, in accordance with the provisions of section 3-55j. The
305 amount of the grant payable to each municipality during any fiscal
306 year, in accordance with said section, shall be reduced proportionately
307 if the total of such grants exceeds the amount of funds available for
308 such year. The grant shall be paid in three installments as follows: The
309 Secretary of the Office of Policy and Management shall, annually, not
310 later than the [first] fifteenth day of December, the [first] fifteenth day
311 of March and the [first] fifteenth day of June certify to the Comptroller
312 the amount due each municipality under the provisions of section 3-55j

313 and the Comptroller shall draw an order on the Treasurer on or before
314 the fifth business day following the fifteenth day of December, the fifth
315 business day following the fifteenth day of March and the fifth
316 business day following the fifteenth day of June and the Treasurer
317 shall pay the amount thereof to such municipality on or before the first
318 day of January, the first day of April and the thirtieth day of June.

319 Sec. 8. Section 12-19c of the general statutes is repealed and the
320 following is substituted in lieu thereof (*Effective from passage*):

321 The Secretary of the Office of Policy and Management shall, not
322 later than September [first] fifteenth, certify to the Comptroller the
323 amount due each town or borough under the provisions of section 12-
324 19a, or under any recomputation occurring prior to said September
325 [first] fifteenth which may be effected as the result of the provisions of
326 section 12-19b, and the Comptroller shall draw an order on the
327 Treasurer on or before the [fifteenth day of September following] fifth
328 business day following September fifteenth and the Treasurer shall
329 pay the amount thereof to such town on or before the thirtieth day of
330 September following. If any recomputation is effected as the result of
331 the provisions of section 12-19b on or after the August first following
332 the date on which the town has provided the assessed valuation in
333 question, any adjustments to the amount due to any town for the
334 period for which such adjustments were made shall be made in the
335 next payment the Treasurer shall make to such town pursuant to this
336 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	12-94a
Sec. 2	<i>from passage</i>	32-9s
Sec. 3	<i>from passage</i>	12-170aa(g)
Sec. 4	<i>from passage</i>	12-170aa(j)
Sec. 5	<i>from passage</i>	12-129d
Sec. 6	<i>from passage</i>	12-20b
Sec. 7	<i>from passage</i>	3-55i

Sec. 8	<i>from passage</i>	12-19c
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Statement of Purpose:

To reduce the time frame for the processing of grant payments to municipalities.

[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.]