



# House of Representatives

General Assembly

**File No. 322**

January Session, 2007

House Bill No. 5722

*House of Representatives, April 4, 2007*

The Committee on Planning and Development reported through REP. FELTMAN of the 6th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING REIMBURSEMENT OF MARSHAL COSTS WHERE THERE IS AN ERROR BY THE TAX ASSESSOR OR TAX COLLECTOR.***

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

1 Section 1. Section 12-193 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 Court costs, reasonable appraiser's fees, and reasonable attorney's  
4 fees incurred by a municipality as a result of any foreclosure action  
5 brought pursuant to section 12-181 or 12-182 and directly related  
6 thereto shall be taxed in any such proceeding against any person or  
7 persons having title to any property so foreclosed and may be collected  
8 by the municipality once a foreclosure action has been brought  
9 pursuant to section 12-181 or 12-182. A municipality shall reimburse a  
10 taxpayer for the costs of state marshal fees or any property seized if the  
11 court finds that such costs were incurred because of an error by the tax  
12 assessor or tax collector and not as the result of any action or failure on  
13 the part of the taxpayer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	12-193

**PD**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 08 \$</b>	<b>FY 09 \$</b>
All Municipalities	STATE MANDATE - Cost	Minimal	Minimal

**Explanation**

The bill requires any municipality engaged in a tax foreclosure action to reimburse a property owner for certain expenses if they were incurred because of an error by the tax assessor or tax collector. The bill is expected to result in a minimal cost to a municipality where a foreclosure is found to be in error.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****HB 5722*****AN ACT CONCERNING REIMBURSEMENT OF MARSHAL COSTS WHERE THERE IS AN ERROR BY THE TAX ASSESSOR OR TAX COLLECTOR.*****SUMMARY:**

Under current law, a municipality can recover the court costs and reasonable appraisers and attorneys fees it incurs as a result of any tax foreclosure action from anyone having title to affected property. This bill requires the municipality to reimburse a taxpayer for the costs of state marshal fees or any property seized if the court finds that such costs were incurred because of a tax assessor or tax collector error and not because of any action or failure on the taxpayer's part.

EFFECTIVE DATE: October 1, 2007

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea 20 Nay 0 (03/19/2007)