



General Assembly

Amendment

January Session, 2007

LCO No. 8179

SB0148308179SR0

Offered by:

SEN. DELUCA, 32nd Dist.
SEN. MCKINNEY, 28th Dist.
SEN. NICKERSON, 36th Dist.
SEN. CAPPIELLO, 24th Dist.
SEN. CALIGIURI, 16th Dist.
SEN. DEBICELLA, 21st Dist.

SEN. FASANO, 34th Dist.
SEN. FREEDMAN, 26th Dist.
SEN. GUGLIELMO, 35th Dist.
SEN. HERLIHY, 8th Dist.
SEN. KISSEL, 7th Dist.
SEN. RORABACK, 30th Dist.

To: Senate Bill No. **1483**

File No.

Cal. No.

(As Amended)

"AN ACT CONCERNING REVENUES FROM THE CIGARETTE TAX."

1 Strike sections 9 and 16 in their entirety and renumber remaining
2 sections and internal references accordingly.

3 After the last section, add the following and renumber sections and
4 internal references accordingly:

5 "Sec. 501. Subsection (g) of section 12-391 of the general statutes is
6 repealed and the following is substituted in lieu thereof (*Effective from*
7 *passage, and applicable to estates of decedents dying on or after January 1,*
8 *2007*):

9 (g) (1) With respect to the estates of decedents dying [on or after
 10 January 1, 2005] during the period from January 1, 2005, to December
 11 31, 2006, inclusive, the tax based on the Connecticut taxable estate shall
 12 be as provided in the following schedule:

T1	Amount of Connecticut	
T2	Taxable Estate	Rate of Tax
T3	Not over \$2,000,000	None
T4	Over \$2,000,000	
T5	but not over \$2,100,000	5.085% of the excess over \$0
T6	Over \$2,100,000	\$106,800 plus 8% of the excess
T7	but not over \$2,600,000	over \$2,100,000
T8	Over \$2,600,000	\$146,800 plus 8.8% of the excess
T9	but not over \$3,100,000	over \$2,600,000
T10	Over \$3,100,000	\$190,800 plus 9.6% of the excess
T11	but not over \$3,600,000	over \$3,100,000
T12	Over \$3,600,000	\$238,800 plus 10.4% of the excess
T13	but not over \$4,100,000	over \$3,600,000
T14	Over \$4,100,000	\$290,800 plus 11.2% of the excess
T15	but not over \$5,100,000	over \$4,100,000
T16	Over \$5,100,000	\$402,800 plus 12% of the excess
T17	but not over \$6,100,000	over \$5,100,000
T18	Over \$6,100,000	\$522,800 plus 12.8% of the excess
T19	but not over \$7,100,000	over \$6,100,000
T20	Over \$7,100,000	\$650,800 plus 13.6% of the excess
T21	but not over \$8,100,000	over \$7,100,000
T22	Over \$8,100,000	\$786,800 plus 14.4% of the excess
T23	but not over \$9,100,000	over \$8,100,000
T24	Over \$9,100,000	\$930,800 plus 15.2% of the excess

T25	but not over \$10,100,000	over \$9,100,000
T26	Over \$10,100,000	\$1,082,800 plus 16% of the excess
T27		over \$10,100,000

13 (2) With respect to the estates of decedents dying on or after January
 14 1, 2007, but prior to January 1, 2008, the tax based on the Connecticut
 15 taxable estate shall be as provided in the following schedule:

T28	<u>Amount of Connecticut</u>	<u>Rate of Tax</u>
T29	<u>Taxable Estate</u>	
T30	<u>Not over \$4,100,000</u>	<u>None</u>
T31	<u>Over \$4,100,000</u>	<u>\$0 plus 11.2% of the excess</u>
T32	<u>but not over \$5,100,000</u>	<u>over \$4,100,000</u>
T33	<u>Over \$5,100,000</u>	<u>\$112,000 plus 12% of the excess</u>
T34	<u>but not over \$6,100,000</u>	<u>over \$5,100,000</u>
T35	<u>Over \$6,100,000</u>	<u>\$232,000 plus 12.8% of the excess</u>
T36	<u>but not over \$7,100,000</u>	<u>over \$6,100,000</u>
T37	<u>Over \$7,100,000</u>	<u>\$360,000 plus 13.6% of the excess</u>
T38	<u>but not over \$8,100,000</u>	<u>over \$7,100,000</u>
T39	<u>Over \$8,100,000</u>	<u>\$496,000 plus 14.4% of the excess</u>
T40	<u>but not over \$9,100,000</u>	<u>over \$8,100,000</u>
T41	<u>Over \$9,100,000</u>	<u>\$640,000 plus 15.2% of the excess</u>
T42	<u>but not over \$10,100,000</u>	<u>over \$9,100,000</u>
T43	<u>Over \$10,100,000</u>	<u>\$792,000 plus 16% of the excess</u>
T44		<u>over \$10,100,000</u>

16 (3) With respect to the estates of decedents dying on or after January
 17 1, 2008, but prior to January 1, 2009, the tax based on the Connecticut
 18 taxable estate shall be as provided in the following schedule:

T45	<u>Amount of Connecticut</u>	<u>Rate of Tax</u>
T46	<u>Taxable Estate</u>	
T47	<u>Not over \$5,100,000</u>	<u>None</u>
T48	<u>Over \$5,100,000</u>	<u>\$0 plus 12% of the excess</u>

T49	<u>but not over \$6,100,000</u>	<u>over \$5,100,000</u>
T50	<u>Over \$6,100,000</u>	<u>\$120,000 plus 12.8% of the excess</u>
T51	<u>but not over \$7,100,000</u>	<u>over \$6,100,000</u>
T52	<u>Over \$7,100,000</u>	<u>\$248,000 plus 13.6% of the excess</u>
T53	<u>but not over \$8,100,000</u>	<u>over \$7,100,000</u>
T54	<u>Over \$8,100,000</u>	<u>\$384,000 plus 14.4% of the excess</u>
T55	<u>but not over \$9,100,000</u>	<u>over \$8,100,000</u>
T56	<u>Over \$9,100,000</u>	<u>\$528,000 plus 15.2% of the excess</u>
T57	<u>but not over \$10,100,000</u>	<u>over \$9,100,000</u>
T58	<u>Over \$10,100,000</u>	<u>\$680,000 plus 16% of the excess</u>
T59		<u>over \$10,100,000</u>

19 (4) With respect to the estates of decedents dying on or after January
 20 1, 2009, but prior to January 1, 2010, the tax based on the Connecticut
 21 taxable estate shall be as provided in the following schedule:

T60	<u>Amount of Connecticut</u>	<u>Rate of Tax</u>
T61	<u>Taxable Estate</u>	
T62	<u>Not over \$7,100,000</u>	<u>None</u>
T63	<u>Over \$7,100,000</u>	<u>\$0 plus 13.6% of the excess</u>
T64	<u>but not over \$8,100,000</u>	<u>over \$7,100,000</u>
T65	<u>Over \$8,100,000</u>	<u>\$136,000 plus 14.4% of the excess</u>
T66	<u>but not over \$9,100,000</u>	<u>over \$8,100,000</u>
T67	<u>Over \$9,100,000</u>	<u>\$280,000 plus 15.2% of the excess</u>
T68	<u>but not over \$10,100,000</u>	<u>over \$9,100,000</u>
T69	<u>Over \$10,100,000</u>	<u>\$432,000 plus 16% of the excess</u>
T70		<u>over \$10,100,000</u>

22 (5) With respect to the estates of decedents dying on or after January
 23 1, 2010, but prior to January 1, 2011, the tax based on the Connecticut
 24 taxable estate shall be as provided in the following schedule:

T71	<u>Amount of Connecticut</u>	<u>Rate of Tax</u>
T72	<u>Taxable Estate</u>	
T73	<u>Not over \$10,100,000</u>	<u>None</u>

T74	<u>Over \$10,100,000</u>	<u>\$0 plus 16% of the excess</u>
T75		<u>over \$10,100,000</u>

25 (6) With respect to the estates of decedents dying on or after January
26 1, 2011, no tax shall be imposed by this chapter upon the transfer of the
27 estate.

28 Sec. 502. Subdivision (1) of subsection (d) of section 12-391 of the
29 general statutes is repealed and the following is substituted in lieu
30 thereof (*Effective from passage, and applicable to estates of decedents dying*
31 *on or after January 1, 2007*):

32 (d) (1) With respect to the estates of decedents who die on or after
33 January 1, 2005, but prior to January 1, 2011, a tax is imposed upon the
34 transfer of the estate of each person who at the time of death was a
35 resident of this state. The amount of the tax shall be determined using
36 the schedule in subsection (g) of this section, as amended by this act. A
37 credit shall be allowed against such tax for any taxes paid to this state
38 pursuant to section 12-642, as amended by this act, for Connecticut
39 taxable gifts made on or after January 1, 2005. With respect to the
40 estates of decedents who die on or after January 1, 2011, no tax shall be
41 imposed by this chapter upon the transfer of the estate.

42 Sec. 503. Subsection (e) of section 12-391 of the general statutes is
43 repealed and the following is substituted in lieu thereof (*Effective from*
44 *passage, and applicable to estates of decedents dying on or after January 1,*
45 *2007*):

46 (e) (1) With respect to the estates of decedents who die on or after
47 January 1, 2005, but prior to January 1, 2011, a tax is imposed upon the
48 transfer of the estate of each person who at the time of death was a
49 nonresident of this state. The amount of such tax shall be computed by
50 multiplying (A) the amount of tax determined using the schedule in
51 subsection (g) of this section, as amended by this act, by (B) a fraction,
52 (i) the numerator of which is the value of that part of the decedent's
53 gross estate over which this state has jurisdiction for estate tax

54 purposes, and (ii) the denominator of which is the value of the
 55 decedent's gross estate. A credit shall be allowed against such tax for
 56 any taxes paid to this state pursuant to section 12-642, as amended by
 57 this act, for Connecticut taxable gifts made on or after January 1, 2005.

58 (2) With respect to the estates of decedents who die on or after
 59 January 1, 2011, no tax shall be imposed by this chapter.

60 [(2)] (3) Property of a nonresident estate over which this state has
 61 jurisdiction for estate tax purposes includes real property situated in
 62 this state and tangible personal property having an actual situs in this
 63 state.

64 Sec. 504. Subsection (a) of section 12-642 of the general statutes is
 65 repealed and the following is substituted in lieu thereof (*Effective from*
 66 *passage, and applicable to calendar years commencing on or after January 1,*
 67 *2007*):

68 (a) (1) With respect to calendar years commencing prior to January
 69 1, 2001, the tax imposed by section 12-640 for the calendar year shall be
 70 at a rate of the taxable gifts made by the donor during the calendar
 71 year set forth in the following schedule:

T76	Amount of Taxable Gifts	Rate of Tax
T77	Not over \$25,000	1%
T78	Over \$25,000	\$250, plus 2% of the excess
T79	but not over \$50,000	over \$25,000
T80	Over \$50,000	\$750, plus 3% of the excess
T81	but not over \$75,000	over \$50,000
T82	Over \$75,000	\$1,500, plus 4% of the excess
T83	but not over \$100,000	over \$75,000
T84	Over \$100,000	\$2,500, plus 5% of the excess
T85	but not over \$200,000	over \$100,000
T86	Over \$200,000	\$7,500, plus 6% of the excess

T87 over \$200,000

72 (2) With respect to the calendar years commencing January 1, 2001,
 73 January 1, 2002, January 1, 2003, and January 1, 2004, the tax imposed
 74 by section 12-640 for each such calendar year shall be at a rate of the
 75 taxable gifts made by the donor during the calendar year set forth in
 76 the following schedule:

77

T88	Amount of Taxable Gifts	Rate of Tax
T89	Over \$25,000	\$250, plus 2% of the excess
T90	but not over \$50,000	over \$25,000
T91	Over \$50,000	\$750, plus 3% of the excess
T92	but not over \$75,000	over \$50,000
T93	Over \$75,000	\$1,500, plus 4% of the excess
T94	but not over \$100,000	over \$75,000
T95	Over \$100,000	\$2,500, plus 5% of the excess
T96	but not over \$675,000	over \$100,000
T97	Over \$675,000	\$31,250, plus 6% of the excess
T98		over \$675,000

78 (3) With respect to Connecticut taxable gifts, as defined in section
 79 12-643, made by a donor during a calendar year commencing on or
 80 after January 1, 2005, and prior to January 1, 2007, including the
 81 aggregate amount of all Connecticut taxable gifts made by the donor
 82 during all calendar years commencing on or after January 1, 2005 the
 83 tax imposed by section 12-640 for the calendar year shall be at the rate
 84 set forth in the following schedule, with a credit allowed against such
 85 tax for any tax previously paid to this state pursuant to this
 86 subdivision:

T99	Amount of Taxable Gifts	Rate of Tax
T100	Not over \$2,000,000	None
T101	Over \$2,000,000	
T102	but not over \$2,100,000	5.085% of the excess over \$0
T103	Over \$2,100,000	\$106,800 plus 8% of the excess
T104	but not over \$2,600,000	over \$2,100,000
T105	Over \$2,600,000	\$146,800 plus 8.8% of the excess
T106	but not over \$3,100,000	over \$2,600,000
T107	Over \$3,100,000	\$190,800 plus 9.6% of the excess
T108	but not over \$3,600,000	over \$3,100,000
T109	Over \$3,600,000	\$238,800 plus 10.4% of the excess
T110	but not over \$4,100,000	over \$3,600,000
T111	Over \$4,100,000	\$290,800 plus 11.2% of the excess
T112	but not over \$5,100,000	over \$4,100,000
T113	Over \$5,100,000	\$402,800 plus 12% of the excess
T114	but not over \$6,100,000	over \$5,100,000
T115	Over \$6,100,000	\$522,800 plus 12.8% of the excess
T116	but not over \$7,100,000	over \$6,100,000
T117	Over \$7,100,000	\$650,800 plus 13.6% of the excess
T118	but not over \$8,100,000	over \$7,100,000
T119	Over \$8,100,000	\$786,800 plus 14.4% of the excess
T120	but not over \$9,100,000	over \$8,100,000
T121	Over \$9,100,000	\$930,800 plus 15.2% of the excess
T122	but not over \$10,100,000	over \$9,100,000
T123	Over \$10,100,000	\$1,082,800 plus 16% of the excess
T124		over \$10,100,000

87 (4) With respect to Connecticut taxable gifts, as defined in section
88 12-643, made by a donor during the calendar year commencing
89 January 1, 2007, including the aggregate amount of all Connecticut

90 taxable gifts made by the donor during all calendar years commencing
 91 on or after January 1, 2005, the tax imposed by section 12-640 for the
 92 calendar year shall be at the rate set forth in the following schedule,
 93 with a credit allowed against such tax for any tax previously paid to
 94 this state pursuant to this subdivision:

T125	<u>Amount of Taxable Gifts</u>	<u>Rate of Tax</u>
T126	<u>Not over \$4,100,000</u>	<u>None</u>
T127	<u>Over \$4,100,000</u>	<u>\$0 plus 11.2% of the excess</u>
T128	<u>but not over \$5,100,000</u>	<u>over \$4,100,000</u>
T129	<u>Over \$5,100,000</u>	<u>\$112,000 plus 12% of the excess</u>
T130	<u>but not over \$6,100,000</u>	<u>over \$5,100,000</u>
T131	<u>Over \$6,100,000</u>	<u>\$232,000 plus 12.8% of the excess</u>
T132	<u>but not over \$7,100,000</u>	<u>over \$6,100,000</u>
T133	<u>Over \$7,100,000</u>	<u>\$360,000 plus 13.6% of the excess</u>
T134	<u>but not over \$8,100,000</u>	<u>over \$7,100,000</u>
T135	<u>Over \$8,100,000</u>	<u>\$496,000 plus 14.4% of the excess</u>
T136	<u>but not over \$9,100,000</u>	<u>over \$8,100,000</u>
T137	<u>Over \$9,100,000</u>	<u>\$640,000 plus 15.2% of the excess</u>
T138	<u>but not over \$10,100,000</u>	<u>over \$9,100,000</u>
T139	<u>Over \$10,100,000</u>	<u>\$792,000 plus 16% of the excess</u>
T140		<u>over \$10,100,000</u>

95 (5) With respect to Connecticut taxable gifts, as defined in section
 96 12-643, made by a donor during the calendar year commencing
 97 January 1, 2008, including the aggregate amount of all Connecticut
 98 taxable gifts made by the donor during all calendar years commencing
 99 on or after January 1, 2005, the tax imposed by section 12-640 for the
 100 calendar year shall be at the rate set forth in the following schedule,
 101 with a credit allowed against such tax for any tax previously paid to
 102 this state pursuant to this subdivision:

T141	<u>Amount of Taxable Gifts</u>	<u>Rate of Tax</u>
T142	<u>Not over \$5,100,000</u>	<u>None</u>
T143	<u>Over \$5,100,000</u>	<u>\$0 plus 12% of the excess</u>
T144	<u>but not over \$6,100,000</u>	<u>over \$5,100,000</u>

T145	<u>Over \$6,100,000</u>	<u>\$120,000 plus 12.8% of the excess</u>
T146	<u>but not over \$7,100,000</u>	<u>over \$6,100,000</u>
T147	<u>Over \$7,100,000</u>	<u>\$248,000 plus 13.6% of the excess</u>
T148	<u>but not over \$8,100,000</u>	<u>over \$7,100,000</u>
T149	<u>Over \$8,100,000</u>	<u>\$384,000 plus 14.4% of the excess</u>
T150	<u>but not over \$9,100,000</u>	<u>over \$8,100,000</u>
T151	<u>Over \$9,100,000</u>	<u>\$528,000 plus 15.2% of the excess</u>
T152	<u>but not over \$10,100,000</u>	<u>over \$9,100,000</u>
T153	<u>Over \$10,100,000</u>	<u>\$680,000 plus 16% of the excess</u>
T154		<u>over \$10,100,000</u>

103 (6) With respect to Connecticut taxable gifts, as defined in section
 104 12-643, made by a donor during the calendar year commencing
 105 January 1, 2009, including the aggregate amount of all Connecticut
 106 taxable gifts made by the donor during all calendar years commencing
 107 on or after January 1, 2005, the tax imposed by section 12-640 for the
 108 calendar year shall be at the rate set forth in the following schedule,
 109 with a credit allowed against such tax for any tax previously paid to
 110 this state pursuant to this subdivision:

T155	<u>Amount of Taxable Gifts</u>	<u>Rate of Tax</u>
T156	<u>Not over \$7,100,000</u>	<u>None</u>
T157	<u>Over \$7,100,000</u>	<u>\$0 plus 13.6% of the excess</u>
T158	<u>but not over \$8,100,000</u>	<u>over \$7,100,000</u>
T159	<u>Over \$8,100,000</u>	<u>\$136,000 plus 14.4% of the excess</u>
T160	<u>but not over \$9,100,000</u>	<u>over \$8,100,000</u>
T161	<u>Over \$9,100,000</u>	<u>\$280,000 plus 15.2% of the excess</u>
T162	<u>but not over \$10,100,000</u>	<u>over \$9,100,000</u>
T163	<u>Over \$10,100,000</u>	<u>\$432,000 plus 16% of the excess</u>
T164		<u>over \$10,100,000</u>

111 (7) With respect to Connecticut taxable gifts, as defined in section
 112 12-643, made by a donor during the calendar year commencing
 113 January 1, 2010, including the aggregate amount of all Connecticut
 114 taxable gifts made by the donor during all calendar years commencing
 115 on or after January 1, 2005, the tax imposed by section 12-640 for the

116 calendar year shall be at the rate set forth in the following schedule,
 117 with a credit allowed against such tax for any tax previously paid to
 118 this state pursuant to this subdivision:

T165	<u>Amount of Taxable Gifts</u>	<u>Rate of Tax</u>
T166	<u>Not over \$10,100,000</u>	<u>None</u>
T167	<u>Over \$10,100,000</u>	<u>\$0 plus 16% of the excess over</u>
T168		<u>\$10,100,000</u>

119 (8) With respect to Connecticut taxable gifts, as defined in section
 120 12-643, made by a donor during the calendar year commencing on or
 121 after January 1, 2011, including the aggregate amount of all
 122 Connecticut taxable gifts made by the donor during all prior calendar
 123 years commencing on or after January 1, 2005, no tax shall be imposed
 124 by section 12-640 for the calendar year."