



# Senate

General Assembly

**File No. 718**

February Session, 2008

Substitute Senate Bill No. 535

*Senate, April 23, 2008*

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING PROPERTY TAX RELIEF FOR OWNERS OF RESIDENTIAL REAL PROPERTY ABUTTING REAL PROPERTY ON WHICH ABOVE GROUND ELECTRIC TRANSMISSION LINES ARE LOCATED.***

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

1 Section 1. (NEW) (*Effective from passage*) Any municipality in which  
2 property valuation on the grand list increased because of erection of  
3 above ground electric transmission lines with a capacity of more than  
4 three hundred forty-five kilovolts may refund ten per cent of property  
5 tax revenue attributable to the increase to the owners of residential real  
6 property abutting real property on which above ground electric  
7 transmission lines are located. Each refund shall be the same amount  
8 and shall be in the form of a single payment to eligible property  
9 owners. The assessor shall determine the amount of the refund, except  
10 that no payment shall be more than five hundred dollars. Refunds  
11 shall be mailed on or before October first, annually.

12 Sec. 2. Section 12-113 of the general statutes is repealed and the

13 following is substituted in lieu thereof (*Effective October 1, 2008*):

14 (a) The board of assessment appeals may reduce the assessment of  
15 any person as reflected on the grand list by reducing the valuation,  
16 number, quantity or amount of any item of estate therein, or by  
17 deleting any item which ought not to be retained in it, provided any  
18 such reduction or deletion shall be recorded in the minutes of the  
19 meeting of said board. The board of assessment appeals shall not  
20 reduce the valuation or assessment of property on the grand list  
21 belonging to any person who does not appear at a hearing before the  
22 board of assessment appeals, either in person or by such person's  
23 attorney or agent, and offer or consent to be sworn before it and  
24 answer all questions touching such person's taxable property situated  
25 in the town.

26 (b) Any property owner who believes that the value of real property  
27 has been reduced because of an above ground electric transmission  
28 line with a capacity of more than three hundred forty-five kilovolts  
29 may request the board of assessment appeals to reduce the assessment  
30 of such real property. The property owner may submit any  
31 information such property owner deems necessary as evidence of such  
32 decrease, including an independent appraisal.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>October 1, 2008</i>	12-113

**APP**      *Joint Favorable Subst.*

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:

**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

Municipalities	Effect	FY 09 \$	FY 10 \$
All Municipalities	See Below	See Below	See Below

**Explanation**

Section 1 could result in a revenue loss. If a municipality chooses to refund 10% of property taxes it will experience a loss of revenue, which may necessitate an increase to its mill rate or a modification to its budget to offset the loss.

Section 2 could result in a grand list reduction. If a municipality chooses to grant the reduction it will experience a loss of grand list value, which may necessitate an increase to their mill rate or a modification to their budget to offset the loss.

**The Out Years**

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

**OLR Bill Analysis****sSB 535*****AN ACT CONCERNING PROPERTY TAX RELIEF FOR OWNERS OF RESIDENTIAL REAL PROPERTY ABUTTING REAL PROPERTY ON WHICH ABOVE GROUND ELECTRIC TRANSMISSION LINES ARE LOCATED.*****SUMMARY:**

This bill allows any property owner who believes that the value of his or her real property has been reduced because of an above-ground power line with a capacity of more than 345 kilovolts, to request the municipal board of assessment appeals to reduce the property's assessment. The property owner may submit any information he or she considers necessary as evidence of the decrease in value, including an independent appraisal. By law, people aggrieved by their property tax assessment can appeal to their town's board of assessments appeals.

The bill also allows any municipality where the grand list of property values increased because of the erection of above-ground power lines with a capacity of more than 345 kilovolts to annually refund 10% of property tax revenue attributable to the increase to the owners of residential real property abutting the property where the lines are located. The bill does not specify what period is used to determine whether a municipality is subject to this provision. It requires each refund to be the same amount, in the form of a single payment to eligible property owners. It requires the assessor to determine the amount of the refund, but caps the maximum payment at \$500. It requires that refunds be mailed by October first, annually.

**EFFECTIVE DATE:** Upon passage for the refund provisions; October 1, 2008 for the appeals.

**BACKGROUND*****Power Lines***

There are a number of 345 kilovolt power lines in the state. The most recent lines run from Bethel to Norwalk and from Norwalk to Middletown. The Bethel-to-Norwalk line is primarily above-ground but has several underground segments. The Norwalk-to-Middletown line is primarily underground from Norwalk to Milford and primarily above-ground from Milford to Middletown. Other 345-kilovolt lines are being considered for central and northeastern Connecticut.

***Legislative History***

The Senate referred this bill (File 182) to the Appropriations Committee, which reported a substitute that allows, rather than requires, the affected municipality to provide a property tax refund.

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea 20 Nay 0 (03/10/2008)

Appropriations Committee

Joint Favorable Substitute

Yea 35 Nay 14 (04/11/2008)