



General Assembly

**Amendment**

February Session, 2008

LCO No. 5443

\*HB0588505443HDO\*

Offered by:

REP. STAPLES, 96<sup>th</sup> Dist.

SEN. DAILY, 33<sup>rd</sup> Dist.

To: Subst. House Bill No. 5885

File No. 609

Cal. No. 366

**"AN ACT CONCERNING THE MUNICIPAL SHARE OF THE REAL ESTATE CONVEYANCE TAX."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 12-494 of the 2008 supplement to  
4 the general statutes is repealed and the following is substituted in lieu  
5 thereof (*Effective from passage*):

6 (a) There is imposed a tax on each deed, instrument or writing,  
7 whereby any lands, tenements or other realty is granted, assigned,  
8 transferred or otherwise conveyed to, or vested in, the purchaser, or  
9 any other person by his direction, when the consideration for the  
10 interest or property conveyed equals or exceeds two thousand dollars,  
11 (1) subject to the provisions of subsection (b) of this section, at the rate  
12 of five-tenths of one per cent of the consideration for the interest in real  
13 property conveyed by such deed, instrument or writing, the revenue  
14 from which shall be remitted by the town clerk of the municipality in

15 which such tax is paid, not later than ten days following receipt  
16 thereof, to the Commissioner of Revenue Services for deposit to the  
17 credit of the state General Fund, and (2) at the rate of one-fourth of one  
18 per cent of the consideration for the interest in real property conveyed  
19 by such deed, instrument or writing, [and on and after July 1, 2008, at  
20 the rate of eleven one-hundredths of one per cent of the consideration  
21 for the interest in real property conveyed by such deed, instrument or  
22 writing,] provided the amount imposed under this subdivision shall  
23 become part of the general revenue of the municipality in accordance  
24 with section 12-499.

25 Sec. 2. Subsection (a) of section 12-498 of the general statutes is  
26 repealed and the following is substituted in lieu thereof (*Effective from*  
27 *passage, and applicable to conveyances occurring on and after said date*):

28 (a) The tax imposed by section 12-494 of the 2008 supplement to the  
29 general statutes shall not apply to: (1) Deeds which this state is  
30 prohibited from taxing under the Constitution or laws of the United  
31 States; (2) deeds which secure a debt or other obligation; (3) deeds to  
32 which this state or any of its political subdivisions or its or their  
33 respective agencies is a party; (4) tax deeds; (5) deeds of release of  
34 property which is security for a debt or other obligation; (6) deeds of  
35 partition; (7) deeds made pursuant to mergers of corporations; (8)  
36 deeds made by a subsidiary corporation to its parent corporation for  
37 no consideration other than the cancellation or surrender of the  
38 subsidiary's stock; (9) deeds made pursuant to a decree of the Superior  
39 Court under section 46b-81, 49-24 or 52-495; (10) deeds, when the  
40 consideration for the interest or property conveyed is less than two  
41 thousand dollars; (11) deeds between affiliated corporations, provided  
42 both of such corporations are exempt from taxation pursuant to  
43 paragraph (2), (3) or (25) of Section 501(c) of the Internal Revenue Code  
44 of 1986, or any subsequent corresponding internal revenue code of the  
45 United States, as from time to time amended; (12) deeds made by a  
46 corporation which is exempt from taxation pursuant to paragraph (3)  
47 of Section 501(c) of the Internal Revenue Code of 1986, or any  
48 subsequent corresponding internal revenue code of the United States,

49 as from time to time amended, to any corporation which is exempt  
 50 from taxation pursuant to said paragraph (3) of said Section 501(c); (13)  
 51 deeds made to any nonprofit organization which is organized for the  
 52 purpose of holding undeveloped land in trust for conservation or  
 53 recreation purposes; (14) deeds between spouses; (15) deeds of  
 54 property for the Adriaen's Landing site or the stadium facility site, for  
 55 purposes of the overall project, each as defined in section 32-651; (16)  
 56 land transfers made on or after July 1, 1998, to a water company, as  
 57 defined in section 16-1 of the 2008 supplement to the general statutes,  
 58 provided the land is classified as class I or class II land, as defined in  
 59 section 25-37c, after such transfer; (17) transfers or conveyances to  
 60 effectuate a mere change of identity or form of ownership or  
 61 organization, where there is no change in beneficial ownership; [and]  
 62 (18) conveyances of residential property which occur not later than six  
 63 months after the date on which the property was previously conveyed  
 64 to the transferor if the transferor is (A) an employer which acquired the  
 65 property from an employee pursuant to an employee relocation plan,  
 66 or (B) an entity in the business of purchasing and selling residential  
 67 property of employees who are being relocated pursuant to such a  
 68 plan; or (19) transactions involving the sale of a primary residence that  
 69 results in no cash or return to the seller, as evidenced in the settlement  
 70 statement, form HUD 1 or other similar document, provided the  
 71 mortgage debt must have been used to buy, build or substantially  
 72 improve the seller's principal residence, and must have been secured  
 73 by such residence; debt used to refinance such qualifying debt is  
 74 eligible, but only up to the amount of the mortgage principal  
 75 immediately prior to such refinancing."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	12-494(a)
Sec. 2	<i>from passage, and applicable to conveyances occurring on and after said date</i>	12-498(a)