



Senate

General Assembly

File No. 393

February Session, 2010

Substitute Senate Bill No. 305

Senate, April 8, 2010

The Committee on Planning and Development reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT ESTABLISHING AN OPTIONAL MUNICIPAL PROPERTY TAX RELIEF PROGRAM FOR PROPERTY OWNERS WHO PRESERVE AND MAINTAIN STONE WALLS.

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

1 Section 1. (NEW) (*Effective October 1, 2010*) (a) Any municipality
2 may, by vote of its legislative body, provide property tax relief to
3 residents of such municipality who preserve and maintain stone walls
4 on property owned by such residents, if such stone wall preservation
5 and maintenance meets requirements established by such municipality
6 pursuant to subsection (b) of this section. No such property tax relief,
7 together with any relief received by any such resident under any
8 provision of the general statutes shall exceed, in the aggregate, the
9 total amount of the tax which would, except for such other provisions
10 and the provisions of this section, be laid against the taxpayer.

11 (b) Prior to initial approval by the legislative body of such
12 municipality of a plan of property tax relief pursuant to this section,

13 the executive authority of such municipality shall appoint a committee
 14 consisting of not less than five resident taxpayers of such municipality,
 15 which shall undertake and complete within a period not in excess of
 16 sixty days following such appointment, a study and investigation with
 17 respect to such property tax relief and, on the basis thereof, prepare a
 18 report to be presented to the legislative body of such municipality.
 19 Such report shall include the following: (1) The fiscal effect of such
 20 property tax relief on property tax revenue for such municipality; and
 21 (2) recommendations with respect to the form and extent of such
 22 property tax relief. After the initial approval of such property tax relief
 23 by the legislative body of such municipality, such plan may be
 24 amended from time to time by vote of its legislative body without
 25 compliance with the requirements of this subsection applicable to such
 26 initial approval.

27 (c) Any such property tax relief granted to any such resident in
 28 accordance with the provisions of this section shall not disqualify such
 29 resident with respect to any benefits for which such resident shall be
 30 eligible under the provisions of the general statutes and any such
 31 property tax relief provided under this section shall be in addition to
 32 any such benefits for which such resident shall be eligible under any
 33 provision of the general statutes.

34 (d) The property tax relief provided for in this section may, in any
 35 case where title to real property is recorded in the name of the
 36 taxpayer or his or her spouse and any other person or persons, be
 37 prorated to reflect the fractional share of such taxpayer or spouse or, if
 38 such property is a multiple-family dwelling, such relief may be
 39 prorated to reflect the fractional portion of such property occupied by
 40 the taxpayer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2010	New section

PD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 11 \$	FY 12 \$
Various Municipalities	See Below	See Below	See Below

Explanation

Municipalities electing provisions of this bill to abate property taxes will experience a loss of their net grand list (assessed value less exemptions permitted under current state law) and which may necessitate an adjustment in a municipality's mill rate to offset the loss of taxable property.

The Out Years

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

OLR Bill Analysis**sSB 305*****AN ACT ESTABLISHING AN OPTIONAL MUNICIPAL PROPERTY TAX RELIEF PROGRAM FOR PROPERTY OWNERS WHO PRESERVE AND MAINTAIN STONE WALLS.*****SUMMARY:**

This bill allows a municipality, by vote of its legislative body, to grant property tax relief to property owners who preserve and maintain stone walls on their property that meets the requirements the municipality establishes. The amount of this relief plus any other relief, cannot exceed the amount of tax the property owner would otherwise owe.

Before a municipality approves the tax relief plan, its executive authority must appoint a committee of at least five resident taxpayers to study the plan. The committee has 60 days from appointment to issue a report to the municipal legislative body. The report must include the fiscal impact of the property tax relief on municipal property tax revenue and recommendations about the form and extent of the relief. After adopting the plan, the municipality may change it without forming another committee or issuing another report.

The bill specifies that a property owner granted this tax relief is not disqualified from any other “benefits” for which he or she would otherwise qualify under law. It also specifies that this tax relief is in addition to other property tax relief for which the person is eligible.

Under the bill, the property tax relief may be split fractionally to reflect the proportion of ownership if (1) the taxpayer and someone else are both listed as property owners or (2) the taxpayer lives in a multifamily house.

EFFECTIVE DATE: October 1, 2010

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 17 Nay 3 (03/22/2010)