



General Assembly

Substitute Bill No. 201

February Session, 2010

* _____SB00201PD_____031810_____*

AN ACT CONCERNING TECHNICAL REVISIONS TO THE PLANNING AND DEVELOPMENT STATUTES.

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

1 Section 1. Section 7-136i of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2010*):

4 Notwithstanding any provision of title 13b or 14, in all matters in
5 which a formal petition, application or request for a permit is required
6 to be submitted to the Commissioner of Transportation or the State
7 Traffic Commission, and such petition, application or request is
8 submitted by a municipality, the commissioner or commission shall,
9 within available appropriations, not later than sixty days after the date
10 on which the commissioner or commission receives such petition,
11 application or request, make a preliminary review of the petition,
12 application or request for the sole purpose of determining whether
13 such petition, application or request is acceptable for filing. The
14 commissioner or commission shall notify the municipality of the
15 results of such preliminary review. Nothing in this section shall
16 preclude the commissioner or commission from requesting additional
17 information from the municipality subsequent to such notification.

18 Sec. 2. Section 12-63c of the 2010 supplement to the general statutes
19 is repealed and the following is substituted in lieu thereof (*Effective*

20 October 1, 2010):

21 (a) In determining the present true and actual value in any town of
22 real property used primarily for purposes of producing rental income,
23 the assessor, which term whenever used in this section shall include
24 assessor or board of assessors, may require in the conduct of any
25 appraisal of such property pursuant to the capitalization of net income
26 method, as provided in section 12-63b, that the owner of such property
27 annually submit to the assessor not later than the first day of June, on a
28 form provided by the assessor not later than forty-five days before said
29 first day of June, the best available information disclosing the actual
30 rental and rental-related income and operating expenses applicable to
31 such property. Submission of such information may be required
32 whether or not the town is conducting a revaluation of all real
33 property pursuant to section 12-62. Upon determination that there is
34 good cause, the assessor may grant an extension of not more than
35 thirty days to [file] submit such information, if the owner of such
36 property files a request for an extension with the assessor not later
37 than May first.

38 (b) Any such information related to actual rental and rental-related
39 income and operating expenses and not already a matter of public
40 record [which] that is submitted [or made available] to the assessor
41 shall not be subject to the provisions of section 1-210.

42 (c) If upon receipt of information as required under subsection (a) of
43 this section the assessor finds that such information does not appear to
44 reflect actual rental and rental-related income or operating expenses
45 related to the current use of such property, additional verification
46 concerning such information may be requested by the assessor. All
47 information received by the assessor under subsection (a) of this
48 section shall be subject to audit by the assessor or a designee of the
49 assessor. Any person claiming to be aggrieved by the action of the
50 assessor hereunder may appeal the actions of the assessor to the board
51 of assessment appeals and the Superior Court as otherwise provided in
52 this chapter.

53 (d) Any owner of such real property required to submit [or make
54 available] information to the assessor in accordance with subsection (a)
55 of this section for any assessment year, who fails to submit such
56 information [or fails to make it available] as required under said
57 subsection (a) or who submits information [or makes it available] in
58 incomplete or false form with intent to defraud, shall be subject to a
59 penalty equal to a ten per cent increase in the assessed value of such
60 property for such assessment year. Notwithstanding the provisions of
61 this subsection, an assessor or board of assessment appeals shall waive
62 such penalty if the owner of the real property required to submit the
63 information is not the owner of such property on the assessment date
64 for the grand list to which such penalty is added. Such assessor or
65 board may waive such penalty upon receipt of such information in any
66 town in which the legislative body adopts an ordinance allowing for
67 such a waiver.

68 Sec. 3. Section 16a-29 of the 2010 supplement to the general statutes
69 is repealed and the following is substituted in lieu thereof (*Effective*
70 *October 1, 2010*):

71 The secretary shall consider the comments received at the public
72 hearings and shall make any necessary or desirable revisions to said
73 plan and within three months of completion of the public hearings
74 submit the plan to the continuing legislative committee on state
75 planning and development [,] for its approval, revision or disapproval,
76 in whole or in part. Notwithstanding the provisions of this section, the
77 secretary shall submit the state Conservation and Development
78 Policies Plan, 2012-2017, to said committee on or before December 1,
79 2011.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	7-136i
Sec. 2	<i>October 1, 2010</i>	12-63c
Sec. 3	<i>October 1, 2010</i>	16a-29

Statement of Legislative Commissioners:

In the last sentence of section 2(a), "file" was bracketed and after the closing bracket "submit" was inserted for consistency of language.

PD *Joint Favorable Subst.-LCO*