



Senate

General Assembly

File No. 716

January Session, 2013

Senate Bill No. 1157

Senate, May 6, 2013

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

AN ACT REQUIRING THE INCLUSION OF THE GRANTEE'S MAILING ADDRESS IN A DOCUMENT CONVEYING LAND.

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

1 Section 1. Section 47-5 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) All conveyances of land shall be: (1) In writing; (2) if the grantor
4 is a natural person, subscribed, with or without a seal, by the grantor
5 with his own hand or with his mark with his name annexed to it or by
6 his attorney authorized for that purpose by a power executed,
7 acknowledged and witnessed in the manner provided for conveyances
8 or, if the grantor is a corporation, limited liability company or
9 partnership, subscribed by a duly authorized person; (3)
10 acknowledged by the grantor, his attorney or such duly authorized
11 person (A) to be his free act and deed, or (B) in any manner permitted
12 under chapter 6 or chapter 8; and (4) attested to by two witnesses with
13 their own hands.

14 (b) A document conveying land shall also include the current
15 mailing address of the grantee.

16 [(b)] (c) In addition to the requirements of subsection (a) of this
17 section, the execution of a deed or other conveyance of real property
18 pursuant to a power of attorney shall be deemed sufficient if done in
19 substantially the following form:

20 Name of Owner of Record

21 By: (Signature of Attorney-in-Fact) L.S.

22 Name of Signatory

23 His/Her Attorney-in-Fact

24 [(c)] (d) Nothing in subsection [(b)] (c) of this section precludes the
25 use of any other legal form of execution of deed or other conveyance of
26 real property.

27 Sec. 2. Subsection (b) of section 47-36aa of the general statutes is
28 repealed and the following is substituted in lieu thereof (*Effective*
29 *October 1, 2013*):

30 (b) Insubstantial defects. Any deed, mortgage, lease, power of
31 attorney, release, assignment or other instrument made for the purpose
32 of conveying, leasing, mortgaging or affecting any interest in real
33 property in this state recorded after January 1, 1997, which instrument
34 contains any one or more of the following defects or omissions is as
35 valid as if it had been executed without the defect or omission:

36 (1) The instrument contains an incorrect statement of the date of
37 execution or omits the date of execution;

38 (2) The instrument contains an execution date or other date that is
39 later than the date of recording;

40 (3) The instrument transfers an interest in land by reference to a
41 filed map or subdivision plan and the map or plan does not comply as

42 to preparation, form, certification, approval or filing with any
43 requirement of any special or general law, municipal ordinance or
44 regulation;

45 (4) The instrument conveys an interest in a lot or parcel of land in a
46 subdivision that was not submitted for approval or that was submitted
47 for approval but was not approved;

48 (5) The record does not disclose the date of recording;

49 (6) The instrument does not disclose any statutorily required
50 signature of the town clerk;

51 (7) The instrument does not contain a statement of consideration;

52 (8) The instrument fails to state the town and state in which the real
53 property described in the instrument is located;

54 (9) The instrument fails to state the current mailing address of the
55 grantee;

56 [(9)] (10) In the case of a conveyance by a corporation, limited
57 liability company, partnership, limited partnership or limited liability
58 partnership, or by any other entity authorized to hold and convey title
59 to real property within this state, the instrument designates such entity
60 as the grantor but fails to disclose the authority of the individual who
61 executes and acknowledges the instrument;

62 [(10)] (11) In the case of a committee deed, the judge's approval of
63 the sale incorrectly states or fails to state the date of approval of the
64 sale.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	47-5
Sec. 2	October 1, 2013	47-36aa(b)

JUD *Joint Favorable*

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:*** None***Explanation***

The bill, which requires a document conveying land to include the current mailing address of the recipient of the land, has no fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**SB 1157*****AN ACT REQUIRING THE INCLUSION OF THE GRANTEE'S MAILING ADDRESS IN A DOCUMENT CONVEYING LAND.*****SUMMARY:**

This bill requires a document conveying land to include the current mailing address of the grantee (the person to whom the land is being conveyed). By law, conveyances of land must be (1) in writing, (2) acknowledged by the grantor (i.e., the person conveying the land) or his or her power of attorney, and (3) attested to by two witnesses.

Under the bill, failure to include the grantee's current mailing address in a document that affects any interest in real property in the state is considered an insubstantial defect. By law, any such document is as valid as if the address had been included.

EFFECTIVE DATE: October 1, 2013

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 44 Nay 0 (04/19/2013)