



General Assembly

**Amendment**

January Session, 2013

LCO No. 8505

**\*SB0105208505SD0\***

Offered by:

SEN. FONFARA, 1<sup>st</sup> Dist.

REP. WIDLITZ, 98<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1052

File No. 655

Cal. No. 475

**"AN ACT CONCERNING IMPROVED TAX COLLECTION."**

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

3 "Section 1. Subsection (b) of section 12-268c of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective July*  
5 *1, 2013, and applicable to refunds issued on or after said date*):

6 (b) (1) To any refunds granted as a result of overpayments of any  
7 taxes under chapter 210, 211 or 212, except refunds due because of any  
8 intentional overpayment, there shall be added interest at the rate of  
9 two-thirds of one per cent for each month or fraction of a month,  
10 [which elapses between (1) the later of (A) the due date of such taxes or  
11 (B) the date of making such overpayment and (2) the date of notice by  
12 the Commissioner of Revenue Services that such refunds are due] as  
13 provided in subdivisions (2) and (3) of this subsection.

14 (2) In case of such overpayment pursuant to a tax return, no interest

15 shall be allowed or paid under this subsection on such overpayment  
16 for any month or fraction thereof prior to (A) the ninety-first day after  
17 the last day prescribed for filing the tax return associated with such  
18 overpayment, or (B) the ninety-first day after the date such return was  
19 filed, whichever is later.

20 (3) In case of such overpayment pursuant to an amended tax return,  
21 no interest shall be allowed or paid under this subsection on such  
22 overpayment for any month or fraction thereof prior to the ninety-first  
23 day after the date such amended tax return was filed.

24 Sec. 2. Subdivision (3) of subsection (a) of section 12-392 of the  
25 general statutes is repealed and the following is substituted in lieu  
26 thereof (*Effective July 1, 2013, and applicable to refunds issued on or after*  
27 *said date*):

28 (3) (A) Whenever there is an overpayment of the tax imposed by  
29 this chapter, the Commissioner of Revenue Services shall return to the  
30 fiduciary or transferee the overpayment which shall bear interest at the  
31 rate of two-thirds of one per cent per month or fraction thereof, said  
32 interest commencing, for the estates of decedents dying prior to July 1,  
33 2009, from the expiration of nine months after the death of the  
34 transferor or date of payment, whichever is later, or, for the estates of  
35 decedents dying on or after July 1, 2009, from the expiration of six  
36 months after the death of the transferor or date of payment, whichever  
37 is later, as provided in subparagraphs (B) and (C) of this subdivision.

38 (B) In case of such overpayment pursuant to a tax return, no interest  
39 shall be allowed or paid under this subdivision on such overpayment  
40 for any month or fraction thereof prior to (i) the ninety-first day after  
41 the last day prescribed for filing the tax return associated with such  
42 overpayment, determined without regard to any extension of time for  
43 filing, or (ii) the ninety-first day after the date such return was filed,  
44 whichever is later.

45 (C) In case of such overpayment pursuant to an amended tax return,  
46 no interest shall be allowed or paid under this subdivision on such

47 overpayment for any month or fraction thereof prior to the ninety-first  
48 day after the date such amended tax return was filed.

49 Sec. 3. Subdivision (2) of subsection (b) of section 12-587 of the  
50 general statutes is repealed and the following is substituted in lieu  
51 thereof (*Effective July 1, 2013*):

52 (2) Gross earnings derived from the first sale of the following  
53 petroleum products within this state shall be exempt from tax: (A) Any  
54 petroleum products sold for exportation from this state for sale or use  
55 outside this state; (B) the product designated by the American Society  
56 for Testing and Materials as "Specification for Heating Oil D396-69",  
57 commonly known as number 2 heating oil, to be used exclusively for  
58 heating purposes or to be used in a commercial fishing vessel, which  
59 vessel qualifies for an exemption pursuant to section 12-412; (C)  
60 kerosene, commonly known as number 1 oil, to be used exclusively for  
61 heating purposes, provided delivery is of both number 1 and number 2  
62 oil, and via a truck with a metered delivery ticket to a residential  
63 dwelling or to a centrally metered system serving a group of  
64 residential dwellings; (D) the product identified as propane gas, to be  
65 used exclusively for heating purposes; (E) bunker fuel oil, intermediate  
66 fuel, marine diesel oil and marine gas oil to be used in any vessel  
67 having a displacement exceeding four thousand dead weight tons; (F)  
68 for any first sale occurring prior to July 1, 2008, propane gas to be used  
69 as a fuel for a motor vehicle; (G) for any first sale occurring on or after  
70 July 1, 2002, grade number 6 fuel oil, as defined in regulations adopted  
71 pursuant to section 16a-22c, to be used exclusively by a company  
72 which, in accordance with census data contained in the Standard  
73 Industrial Classification Manual, United States Office of Management  
74 and Budget, 1987 edition, is included in code classifications 2000 to  
75 3999, inclusive, or in Sector 31, 32 or 33 in the North American  
76 Industrial Classification System United States Manual, United States  
77 Office of Management and Budget, 1997 edition; (H) for any first sale  
78 occurring on or after July 1, 2002, number 2 heating oil to be used  
79 exclusively in a vessel primarily engaged in interstate commerce,  
80 which vessel qualifies for an exemption under section 12-412; (I) for

81 any first sale occurring on or after July 1, 2000, paraffin or  
82 microcrystalline waxes; (J) for any first sale occurring prior to July 1,  
83 2008, petroleum products to be used as a fuel for a fuel cell, as defined  
84 in subdivision (113) of section 12-412; (K) a commercial heating oil  
85 blend containing not less than ten per cent of alternative fuels derived  
86 from agricultural produce, food waste, waste vegetable oil or  
87 municipal solid waste, including, but not limited to, biodiesel or low  
88 sulfur dyed diesel fuel; [or] (L) for any first sale occurring on or after  
89 July 1, 2007, diesel fuel other than diesel fuel to be used in an electric  
90 generating facility to generate electricity; or (M) for any first sale  
91 occurring on or after July 1, 2013, cosmetic grade mineral oil.

92 Sec. 4. Subsection (b) of section 12-589 of the general statutes is  
93 repealed and the following is substituted in lieu thereof (*Effective July*  
94 *1, 2013, and applicable to refunds issued on or after said date*):

95 (b) (1) To any refund granted as a result of overpayments of any  
96 taxes imposed under section 12-587, as amended by this act, except  
97 refunds due because of any intentional overpayment, there shall be  
98 added interest at the rate of two-thirds of one per cent for each month  
99 or fraction of a month, [which elapses between (1) the later of the due  
100 date of such taxes or the date of making such overpayment and (2) the  
101 date of notice by the Commissioner of Revenue Services that any such  
102 refund is due] as provided in subdivisions (2) and (3) of this  
103 subsection.

104 (2) In case of such overpayment pursuant to a tax return, no interest  
105 shall be allowed or paid under this subsection on such overpayment  
106 for any month or fraction thereof prior to (A) the ninety-first day after  
107 the last day prescribed for filing the tax return associated with such  
108 overpayment, or (B) the ninety-first day after the date such return was  
109 filed, whichever is later.

110 (3) In case of such overpayment pursuant to an amended tax return,  
111 no interest shall be allowed or paid under this subsection on such  
112 overpayment for any month or fraction thereof prior to the ninety-first

113 day after the date such amended tax return was filed.

114 Sec. 5. Subsection (d) of section 12-647 of the general statutes is  
115 repealed and the following is substituted in lieu thereof (*Effective July*  
116 *1, 2013, and applicable to refunds issued on or after said date*):

117 (d) (1) Whenever there is an overpayment of the tax imposed by this  
118 chapter, the commissioner shall return to the taxpayer the  
119 overpayment, which shall bear interest at the rate of two-thirds of one  
120 per cent per month or fraction thereof, [said interest commencing from  
121 the due date of the return required under this chapter, or the date of  
122 payment, whichever is later] as provided in subdivisions (2) and (3) of  
123 this subsection.

124 (2) In case of such overpayment pursuant to a tax return, no interest  
125 shall be allowed or paid under this subsection on such overpayment  
126 for any month or fraction thereof prior to (A) the ninety-first day after  
127 the last day prescribed for filing the tax return associated with such  
128 overpayment, determined without regard to any extension of time for  
129 filing, or (B) the ninety-first day after the date such return was filed,  
130 whichever is later.

131 (3) In case of such overpayment pursuant to an amended tax return,  
132 no interest shall be allowed or paid under this subsection on such  
133 overpayment for any month or fraction thereof prior to the ninety-first  
134 day after the date such amended tax return was filed.

135 Sec. 6. (NEW) (*Effective from passage and applicable to calendar years*  
136 *commencing on and after January 1, 2013*) (a) Whenever a company  
137 subject to tax under the provisions of chapter 207 of the general  
138 statutes is eligible to claim more than one tax credit, the credits shall be  
139 claimed for the calendar year in the following order:

140 (1) Any credit that may be carried backward to a preceding calendar  
141 year or years shall first be claimed (A) with any credit carry-back that  
142 will expire first being claimed prior to any credit carry-back that will  
143 expire later or will not expire at all, and (B) if the credit carry-backs

144 will expire at the same time, in the order in which the company may  
145 receive the maximum benefit;

146 (2) Any credit that may not be carried backward to a preceding  
147 calendar year or years and that may not be carried forward to a  
148 succeeding calendar year or years shall next be claimed, in the order in  
149 which the company may receive the maximum benefit; and

150 (3) Any credit that may be carried forward to a succeeding calendar  
151 year or years shall next be claimed (A) with any credit carry-forward  
152 that will expire first being claimed prior to any credit carry-forward  
153 that will expire later or will not expire at all, and (B) if the credit carry-  
154 forwards will expire at the same time, in the order in which the  
155 company may receive the maximum benefit.

156 (b) In no event shall any credit be claimed more than once.

157 Sec. 7. Section 12-217dd of the general statutes is repealed and the  
158 following is substituted in lieu thereof (*Effective July 1, 2013, and*  
159 *applicable to income years commencing on or after January 1, 2013*):

160 (a) For purposes of this section: [, "donation]

161 (1) "Donation of open space land" means the value of any land or  
162 interest in land conveyed without financial consideration, or the value  
163 of any discount of the sale price in any sale of land or interest in land,  
164 to the state, a political subdivision of the state, a water company, as  
165 defined in section 25-32a, or to any nonprofit land conservation  
166 organization where such land is to be permanently preserved as  
167 protected open space or used as a public water supply source.

168 (2) "Donation of land for educational use" means the value of any  
169 land or interest in land conveyed without financial consideration, or  
170 the value of any discount of the sale price in any sale of land or interest  
171 in land, to any town, city or borough, whether consolidated or  
172 unconsolidated, or any school district or regional school district for  
173 educational use, as defined in section 16-43b.

174 (b) There shall be allowed a credit for all taxpayers against the tax  
175 imposed under [section 12-217] this chapter, in an amount equal to  
176 fifty per cent of any donation of open space land [or as a public water  
177 supply source] and fifty per cent of any donation of land for  
178 educational use. For purposes of calculating the credit under this  
179 section, the amount of donation shall be based on the use value of the  
180 donated [open space] land and the amount received for such land. For  
181 purposes of this subsection, "use value" means the fair market value of  
182 land at its highest and best use, as determined by a certified real estate  
183 appraiser.

184 (c) A credit for the donation of open space land that is allowed  
185 under this section [,] with respect to any taxable year commencing on  
186 or after January 1, 2000, but is not used by a taxpayer, may be carried  
187 forward to each of the successive income years until such credit is fully  
188 taken, [. In] but in no case shall a credit that is not used be carried  
189 forward for a period of more than twenty-five years. A credit for the  
190 donation of land for educational use that is allowed under this section  
191 with respect to any taxable year commencing on or after January 1,  
192 2013, but is not used by a taxpayer, may be carried forward to each of  
193 the successive income years until such credit is fully taken, but in no  
194 case shall a credit that is not used be carried forward for a period of  
195 more than twenty-five years.

196 Sec. 8. Section 12-217ff of the general statutes is repealed and the  
197 following is substituted in lieu thereof (*Effective July 1, 2013, and*  
198 *applicable to income years commencing on or after January 1, 2013*):

199 (a) For purposes of this section, "donation of land for educational  
200 use" means the value of any land or interest in land conveyed without  
201 financial consideration, or the value of any discount of the sale price in  
202 any sale of land or interest in land, to any municipality or political  
203 subdivision of the state for educational use, as defined in section 16-  
204 43b.

205 (b) There shall be allowed a credit for all taxpayers against the tax

206 imposed under section 12-217, in an amount equal to fifty per cent of  
207 any donation of land for educational use. For purposes of calculating  
208 the credit under this section the amount of donation shall be based on  
209 the difference between the use value of the donated land and the  
210 amount received for such land. For the purposes of this subsection,  
211 "use value" means a fair market value of land at its highest and best  
212 use, as determined by a certified real estate appraiser.

213 (c) A credit that is allowed under this section, with respect to any  
214 taxable year commencing on or after January 1, 2004, but is not used by  
215 a taxpayer may be carried forward to each of the successive income  
216 years until such credit is fully taken. In no case shall a credit that is not  
217 used be carried forward for a period of more than fifteen years.

218 (d) No tax credit shall be allowed under this section with respect to  
219 any donation of land for educational use made on or after January 1,  
220 2013.

221 Sec. 9. Subdivision (3) of subsection (b) of section 12-217kk of the  
222 general statutes is repealed and the following is substituted in lieu  
223 thereof (*Effective from passage*):

224 (3) Any credit allowed pursuant to this section may be sold,  
225 assigned or otherwise transferred, in whole or in part, to one or more  
226 taxpayers, and such taxpayers may sell, assign or otherwise transfer, in  
227 whole or in part, such credit. [Any taxpayer holding such credit may  
228 claim such credit only for the income year in which expenditures were  
229 made by the taxpayer for the infrastructure project.]

230 Sec. 10. Subsections (e) and (f) of section 12-217pp of the general  
231 statutes are repealed and the following is substituted in lieu thereof  
232 (*Effective July 1, 2013*):

233 (e) (1) To be eligible to claim the credit, a taxpayer shall apply to the  
234 commissioner in accordance with the provisions of this section. The  
235 application shall be on a form provided by the commissioner and shall  
236 contain sufficient information as required by the commissioner,

237 including, but not limited to, the activities that the taxpayer primarily  
238 engages in, the North American Industrial Classification System code  
239 of the taxpayer, the current number of employees employed by the  
240 taxpayer as of the application date, and if applicable, the name and  
241 position or job title of the new, qualifying or veteran employee. The  
242 commissioner shall consult with the Labor Commissioner, the  
243 Commissioner of Rehabilitation Services or the Commissioner of  
244 Veterans' Affairs, Mental Health and Addiction Services or  
245 Developmental Services, as applicable, for any verification the  
246 commissioner deems necessary of unemployment compensation or  
247 vocational rehabilitation services received by a qualifying employee, or  
248 of service in the armed forces of the United States by a veteran  
249 employee. The commissioner may impose a fee for such application as  
250 the commissioner deems appropriate.

251 (2) (A) Upon receipt of an application, the commissioner shall  
252 render a decision, in writing, on each completed application not later  
253 than thirty days after the date of its receipt by the commissioner. If the  
254 commissioner approves such application, the commissioner shall issue  
255 a certification letter to the taxpayer indicating that the credit will be  
256 available to be claimed by the taxpayer if the taxpayer and new,  
257 qualifying or veteran employee otherwise meets the requirements of  
258 this section.

259 (B) On and after January 1, 2014, the commissioner shall render a  
260 decision upon such completed applications and, if approved, issue  
261 such certification letters, as provided in subparagraph (A) of this  
262 subdivision, that pertain to qualifying or veteran employees who meet  
263 the requirements of this section, and with respect to whom credits  
264 pursuant to this section have previously been granted. The  
265 commissioner may, in his or her discretion, render a decision upon  
266 applications that pertain to new employees, with respect to whom  
267 credits pursuant to this section have previously been granted, when  
268 such applications are consistent with the economic development  
269 priorities of the state.

270 (f) (1) The total amount of credits granted under this section and  
271 sections 12-217ii, 12-217nn and 12-217oo shall not exceed twenty  
272 million dollars in any one fiscal year or forty million dollars over the  
273 duration of the job expansion tax credit program, including the two  
274 immediately succeeding income years after such credits are granted.

275 (2) If a taxpayer was issued an eligibility certificate by the  
276 commissioner prior to January 1, 2012, to receive a jobs creation tax  
277 credit pursuant to section 12-217ii, the provisions of the tax credit  
278 program pursuant to said section 12-217ii shall apply to such taxpayer  
279 for the duration of the eligibility certificate.

280 (3) If a taxpayer is issued a certification letter by the commissioner  
281 prior to January 1, 2013, to receive a qualified small business job  
282 creation tax credit pursuant to section 12-217nn, the provisions of the  
283 tax credit program pursuant to said section 12-217nn shall apply to  
284 such taxpayer for the duration of such certification.

285 (4) If a taxpayer was issued a certification letter by the commissioner  
286 prior to January 1, 2012, to receive a vocational rehabilitation job  
287 creation tax credit pursuant to section 12-217oo, the provisions of the  
288 tax credit program pursuant to said section 12-217oo shall apply to  
289 such taxpayer for the duration of such certification.

290 Sec. 11. (*Effective from passage*) (a) The Commissioner of Revenue  
291 Services shall conduct a study of the personal income tax structure to  
292 consider the impact upon taxpayers, by state tax filing status, of the  
293 various tax rates and credits established pursuant to chapter 229 of the  
294 general statutes. Such study shall include (1) an analysis of the taxes  
295 and credits based on adjusted gross income imposed on each group of  
296 taxpayers at the same or equivalent income level, and whether such  
297 taxes and credits are the same or equivalent, (2) a comparison of the  
298 effect of basing the state personal income tax on federal adjusted gross  
299 income versus federal taxable income, and (3) consideration of how  
300 such tax rates and credits might be restructured to ensure that tax  
301 liability is shared equitably among all taxpayers, while maintaining the

302 current state revenue levels.

303 (b) On or before January 15, 2014, the commissioner shall report, in  
304 accordance with the provisions of section 11-4a of the general statutes,  
305 to the joint standing committee of the General Assembly having  
306 cognizance of matters relating to finance, revenue and bonding on the  
307 results of the study required pursuant to subsection (a) of this section.  
308 Such report shall include suggestions for legislative changes, if such  
309 are found to be necessary to ensure an equitable personal income tax  
310 structure.

311 Sec. 12. Subsection (h) of section 12-217n of the general statutes is  
312 repealed and the following is substituted in lieu thereof (*Effective July*  
313 *1, 2013*):

314 (h) Any taxpayer, or in the case of a combined return, any combined  
315 group of taxpayers, that claims a credit under section 12-217j for any  
316 income year shall reduce the amount of research and development  
317 expenses that otherwise may be taken into account in computing the  
318 allowable credit under subsection (c) of this section for such income  
319 year by the amount of excess research and experimental expenditures,  
320 as computed under said section 12-217j, for which the credit  
321 thereunder is given. [Any taxpayer, or in the case of a combined  
322 return, any combined group of taxpayers, that claims a credit under  
323 section 12-217l for any income year shall reduce the amount of  
324 research and development expenses that otherwise may be taken into  
325 account in computing the allowable credit under subsection (c) of this  
326 section for such income year by the amount of excess grants to  
327 institutions of higher education in Connecticut, as computed under  
328 said section 12-217l, for which the credit thereunder is given.]

329 Sec. 13. Subsection (a) of section 16-245l of the general statutes is  
330 repealed and the following is substituted in lieu thereof (*Effective July*  
331 *1, 2013*):

332 (a) The Public Utilities Regulatory Authority shall establish and  
333 each electric distribution company shall collect a systems benefits

334 charge to be imposed against all end use customers of each electric  
335 distribution company beginning January 1, 2000. The authority shall  
336 hold a hearing that shall be conducted as a contested case in  
337 accordance with chapter 54 to establish the amount of the systems  
338 benefits charge. The authority may revise the systems benefits charge  
339 or any element of said charge as the need arises. The systems benefits  
340 charge shall be used to fund (1) the expenses of the public education  
341 outreach program developed under subsections (a), (f) and (g) of  
342 section 16-244d other than expenses for authority staff, (2) the  
343 reasonable and proper expenses of the education outreach consultant  
344 pursuant to subsection (d) of section 16-244d, (3) the cost of hardship  
345 protection measures under sections 16-262c and 16-262d and other  
346 hardship protections, including, but not limited to, electric service bill  
347 payment programs, funding and technical support for energy  
348 assistance, fuel bank and weatherization programs and weatherization  
349 services, (4) the payment program to offset tax losses described in  
350 section 12-94d, (5) any sums paid to a resource recovery authority  
351 pursuant to subsection (b) of section 16-243e, (6) low income  
352 conservation programs approved by the Public Utilities Regulatory  
353 Authority, (7) displaced worker protection costs, (8) unfunded storage  
354 and disposal costs for spent nuclear fuel generated before January 1,  
355 2000, approved by the appropriate regulatory agencies, (9)  
356 postretirement safe shutdown and site protection costs that are  
357 incurred in preparation for decommissioning, (10) decommissioning  
358 fund contributions, (11) the costs of temporary electric generation  
359 facilities incurred pursuant to section 16-19ss, (12) operating expenses  
360 for the Connecticut Energy Advisory Board, (13) costs associated with  
361 the Connecticut electric efficiency partner program established  
362 pursuant to section 16-243v, (14) reinvestments and investments in  
363 energy efficiency programs and technologies pursuant to section 16a-  
364 38l, costs associated with the electricity conservation incentive  
365 program established pursuant to section 119 of public act 07-242, and  
366 (15) legal, appraisal and purchase costs of a conservation or land use  
367 restriction and other related costs as the authority in its discretion  
368 deems appropriate, incurred by a municipality on or before January 1,

369 2000, to ensure the environmental, recreational and scenic preservation  
370 of any reservoir located within this state created by a pump storage  
371 hydroelectric generating facility. As used in this subsection, "displaced  
372 worker protection costs" means the reasonable costs incurred, prior to  
373 January 1, 2008, (A) by an electric supplier, exempt wholesale  
374 generator, electric company, an operator of a nuclear power generating  
375 facility in this state or a generation entity or affiliate arising from the  
376 dislocation of any employee other than an officer, provided such  
377 dislocation is a result of (i) restructuring of the electric generation  
378 market and such dislocation occurs on or after July 1, 1998, or (ii) the  
379 closing of a Title IV source or an exempt wholesale generator, as  
380 defined in 15 USC 79z-5a, on or after January 1, 2004, as a result of  
381 such source's failure to meet requirements imposed as a result of  
382 sections 22a-197 and 22a-198 and this section or those Regulations of  
383 Connecticut State Agencies adopted by the Department of Energy and  
384 Environmental Protection, as amended from time to time, in  
385 accordance with Executive Order Number 19, issued on May 17, 2000,  
386 and provided further such costs result from either the execution of  
387 agreements reached through collective bargaining for union  
388 employees or from the company's or entity's or affiliate's programs  
389 and policies for nonunion employees, and (B) by an electric  
390 distribution company or an exempt wholesale generator arising from  
391 the retraining of a former employee of an unaffiliated exempt  
392 wholesale generator, which employee was involuntarily dislocated on  
393 or after January 1, 2004, from such wholesale generator, except for  
394 cause. "Displaced worker protection costs" includes costs incurred or  
395 projected for severance, retraining, early retirement, outplacement,  
396 coverage for surviving spouse insurance benefits and related expenses.  
397 ["Displaced worker protection costs" does not include those costs  
398 included in determining a tax credit pursuant to section 12-217bb.]

399 Sec. 14. Subsection (b) of section 38a-91nn of the general statutes is  
400 repealed and the following is substituted in lieu thereof (*Effective July*  
401 *1, 2013*):

402 (b) Each captive insurance company shall pay to the Commissioner

403 of Revenue Services, [in the month of March] on or before March first  
404 of each year, a tax at the rate of (1) two hundred fourteen thousandths  
405 of one per cent on the first twenty million dollars, (2) one hundred  
406 forty-three thousandths of one per cent on the next twenty million  
407 dollars, (3) forty-eight thousandths of one per cent on the next twenty  
408 million dollars, and (4) twenty-four thousandths of one per cent on  
409 each dollar thereafter, on assumed reinsurance premiums collected or  
410 contracted for on policies or contracts of insurance written by the  
411 captive insurance company during the year ending December thirty-  
412 first next preceding, provided no tax under this subsection shall apply  
413 to premiums for risks or portions of risks that are subject to taxation on  
414 a direct basis pursuant to subsection (a) of this section. No tax under  
415 this subsection shall be payable in connection with the receipt of assets  
416 in exchange for the assumption by a captive insurance company of loss  
417 reserves and other liabilities of another insurer under common  
418 ownership and control, if such transaction is part of a plan to  
419 discontinue the operations of such other insurer and if the intent of the  
420 parties to such transaction is to renew or maintain such business with  
421 the captive insurance company.

422 Sec. 15. Section 12-204f of the general statutes is repealed and the  
423 following is substituted in lieu thereof (*Effective July 1, 2013, and*  
424 *applicable to estimated tax payments for calendar years commencing on and*  
425 *after January 1, 2014*):

426 (a) If any domestic insurance company has paid as an installment of  
427 estimated tax an amount in excess of the amount determined to be the  
428 correct amount of such installment, such amount shall be credited  
429 against any unpaid installment or against the tax. If the amount  
430 already paid, whether or not on the basis of installments, exceeds the  
431 amount determined to be the correct amount of the tax, such company  
432 shall be paid by the State Treasurer, upon order of the Comptroller, the  
433 amount of such overpayment. [The commissioner may prescribe  
434 regulations providing for the crediting against the estimated tax for  
435 any taxable year of the amount determined to be an overpayment of  
436 the premium tax for a preceding taxable year.]

437 (b) If any domestic insurance company has filed its tax return under  
 438 this chapter for the calendar year on or before the due date of such  
 439 return or, if an extension of time to file has been requested and  
 440 granted, on or before the extended due date of such return, any  
 441 overpayment reported on such return, if the company has elected to  
 442 credit such overpayment against the company's estimated tax for the  
 443 succeeding calendar year, shall be treated as if paid on the due date of  
 444 the first required installment of estimated tax for such succeeding  
 445 calendar year. Such overpayment shall be credited against the  
 446 otherwise unpaid required installments in the order in which such  
 447 installments are required to be paid under section 12-204c.

448 Sec. 16. Sections 12-217l, 12-217y, 12-217bb and 12-217hh of the  
 449 general statutes are repealed. (Effective July 1, 2013)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013, and applicable to refunds issued on or after said date</i>	12-268c(b)
Sec. 2	<i>July 1, 2013, and applicable to refunds issued on or after said date</i>	12-392(a)(3)
Sec. 3	<i>July 1, 2013</i>	12-587(b)(2)
Sec. 4	<i>July 1, 2013, and applicable to refunds issued on or after said date</i>	12-589(b)
Sec. 5	<i>July 1, 2013, and applicable to refunds issued on or after said date</i>	12-647(d)
Sec. 6	<i>from passage and applicable to calendar years commencing on and after January 1, 2013</i>	New section
Sec. 7	<i>July 1, 2013, and applicable to income years commencing on or after January 1, 2013</i>	12-217dd

Sec. 8	<i>July 1, 2013, and applicable to income years commencing on or after January 1, 2013</i>	12-217ff
Sec. 9	<i>from passage</i>	12-217kk(b)(3)
Sec. 10	<i>July 1, 2013</i>	12-217pp(e) and (f)
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>July 1, 2013</i>	12-217n(h)
Sec. 13	<i>July 1, 2013</i>	16-245l(a)
Sec. 14	<i>July 1, 2013</i>	38a-91nn(b)
Sec. 15	<i>July 1, 2013, and applicable to estimated tax payments for calendar years commencing on and after January 1, 2014</i>	12-204f
Sec. 16	<i>July 1, 2013</i>	Repealer section