



General Assembly

**Amendment**

January Session, 2015

LCO No. 8103



Offered by:

REP. SHARKEY, 88<sup>th</sup> Dist.

REP. MILLER, 36<sup>th</sup> Dist.

REP. D'AGOSTINO, 91<sup>st</sup> Dist.

To: Subst. House Bill No. 6965

File No. 666

Cal. No. 446

**"AN ACT CONCERNING THE PRESERVATION OF MUNICIPAL TAX BASES."**

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

3 "Section 1. (NEW) (*Effective from passage and applicable to assessment*  
4 *years commencing on and after October 1, 2015*) Notwithstanding any  
5 provision of chapter 201, 203 or 204 of the general statutes or any  
6 special act which provides an exemption from taxation of real or  
7 personal property held by or on behalf of a medical foundation formed  
8 under chapter 594b of the general statutes or a health system, as  
9 defined in section 19a-508c of the general statutes, the following real  
10 and personal property shall be taxable by a municipality in accordance  
11 with the provisions of chapters 201, 203 and 204 of the general statutes:  
12 (1) Real property that is acquired by a medical foundation formed  
13 under chapter 594b of the general statutes or a health system, as

14 defined in section 19a-508c of the general statutes, on or after October  
15 1, 2015, that, at the time of such acquisition, is subject to taxation under  
16 the provisions of chapters 201, 203 and 204 of the general statutes, and  
17 (2) any personal property incident to the rendering of health care  
18 services at such real property. The provisions of this section shall not  
19 apply to any real or personal property which is within such entities'  
20 campus, as defined in subparagraph (A) of subdivision (2) of  
21 subsection (a) of section 19a-508c of the general statutes.

22 Sec. 2. (NEW) (*Effective from passage and applicable to assessment years*  
23 *commencing on and after October 1, 2015*) Notwithstanding any provision  
24 of chapter 201, 203 or 204 of the general statutes or any special act,  
25 except subdivision (8) of section 12-81 of the general statutes, which  
26 provides an exemption from taxation of real or personal property held  
27 by or on behalf of a private nonprofit institution of higher learning, as  
28 defined in section 12-20a of the general statutes, any residential real  
29 property intended for use or used as student housing, except a  
30 dormitory, that is held by or on behalf of such entity, shall be taxable  
31 by a municipality in accordance with the provisions of chapters 201,  
32 203 and 204 of the general statutes. For purposes of this subsection: (1)  
33 "Residential real property" means any house or building, or portion  
34 thereof, which is rented, leased or hired out to be occupied as a home  
35 or residence of one or more students, and (2) "dormitory" means a  
36 building containing living or sleeping facilities consisting of twenty or  
37 more beds intended for use or used as student housing and  
38 maintained by a private nonprofit institution of higher learning, as  
39 defined in section 12-20a of the general statutes.

40 Sec. 3. (*Effective from passage*) Notwithstanding any provision of the  
41 general statutes or any special act, charter or ordinance, all acts and  
42 proceedings of the officers and officials of a municipality pertaining to  
43 the treatment as taxable or not taxable, as the case may be, by the  
44 municipality of any real or personal property held by, or held in trust  
45 for, a medical foundation formed under chapter 594b of the general  
46 statutes or a health system, as defined in section 19a-508c of the

47 general statutes, on its October 1, 2014, grand list or earlier grand list,  
48 are validated and the municipality shall continue to treat such real or  
49 personal property as taxable or not taxable, as the case may be, in  
50 subsequent tax years.

51 Sec. 4. Section 12-65b of the general statutes is repealed and the  
52 following is substituted in lieu thereof (*Effective from passage*):

53 (a) Any municipality may, by affirmative vote of its legislative body,  
54 enter into a written agreement with any party owning or proposing to  
55 acquire an interest in real property in such municipality, or with any  
56 party owning or proposing to acquire an interest in air space in such  
57 municipality, or with any party who is the lessee of, or who proposes  
58 to be the lessee of, air space in such municipality in such a manner that  
59 the air space leased or proposed to be leased shall be assessed to the  
60 lessee pursuant to section 12-64, fixing the assessment of the real  
61 property or air space which is the subject of the agreement, and all  
62 improvements thereon or therein and to be constructed thereon or  
63 therein, subject to the provisions of subsection (b) of this section, (1) for  
64 a period of not more than seven years, provided the cost of such  
65 improvements to be constructed is not less than three million dollars,  
66 (2) for a period of not more than two years, provided the cost of such  
67 improvements to be constructed is not less than five hundred  
68 thousand dollars, (3) to the extent of not more than fifty per cent of  
69 such increased assessment, for a period of not more than three years,  
70 provided the cost of such improvements to be constructed is not less  
71 than ten thousand dollars, or (4) for a period of years specified in an  
72 ordinance, for improvements to be constructed on land used or to be  
73 used for any retail business in an area designated in such ordinance.  
74 For purposes of this section, "improvements to be constructed"  
75 includes the rehabilitation of existing structures for retail business use.

76 (b) The provisions of subsection (a) of this section shall only apply if  
77 the improvements are for at least one of the following: (1) Office use;  
78 (2) retail use; (3) permanent residential use; (4) transient residential  
79 use; (5) manufacturing use; (6) warehouse, storage or distribution use;

80 (7) structured multilevel parking use necessary in connection with a  
 81 mass transit system; (8) information technology; (9) recreation  
 82 facilities; (10) transportation facilities; [or] (11) mixed-use  
 83 development, as defined in section 8-13m; or (12) use by or on behalf of  
 84 a medical foundation formed under chapter 594b of the general  
 85 statutes or a health system, as defined in section 19a-508c of the  
 86 general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage and applicable to assessment years commencing on and after October 1, 2015</i>	New section
Sec. 2	<i>from passage and applicable to assessment years commencing on and after October 1, 2015</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	12-65b