



Senate Bill No. 527

Public Act No. 19-81

**AN ACT PERMITTING MUNICIPALITIES TO COMBINE THE
PROPERTY ASSESSMENTS OF MULTIPLE ELECTRIC
GENERATING FACILITIES.**

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

Section 1. Section 32-71a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage, and applicable to assessment years commencing on and after October 1, 2018*):

(a) Any electric generating facility, the construction of which is completed after July 1, 1998, may be treated for the purposes of section 32-71 as if it were located in an enterprise zone and used for commercial or retail purposes. Notwithstanding the provisions of section 32-71, upon the approval of a municipality's legislative body, either before or after July 1, 2001, the full amount of either assessments or taxes may be fixed for the real and personal property of such electric generating facility both during and after the construction period, provided such assessments or taxes as so fixed represent an approximation of the projected tax liability of such facility based on a reasonable estimation of its fair market value as determined by the municipality upon the exercise of its best efforts.

(b) Any new electric generating facility, the construction of which is

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completed after July 1, 2003, may be treated for the purposes of section 32-71 as if it were located in an enterprise zone and used for commercial or retail purposes, provided: (1) The owner of such facility has negotiated a tax agreement with the municipality in which such facility would be located; and (2) such agreement has been approved by the municipality's legislative body between January 1, 2002, and February 28, 2002. Notwithstanding the provisions of section 32-71, upon approval of such municipality's legislative body, either before or after June 14, 2002, up to the full amount of either assessments or taxes may be fixed for the real and personal property of such electric generating facility both during and after the construction period, provided such assessments or taxes as so fixed represent an approximation of the commensurate portion of the projected tax liability of such facility based on a reasonable estimation of its fair market value as determined by the municipality upon the exercise of its best efforts.

(c) Any new electric generating facility, the construction of which is completed after July 1, 2003, may be treated for the purposes of section 32-71 as if it were located in an enterprise zone and used for commercial or retail purposes, provided the municipality in which such facility is located is under state governance. Notwithstanding the provisions of section 32-71, upon approval of such municipality's legislative body, either before or after June 14, 2002, up to the full amount of either assessments or taxes may be fixed for the real and personal property of such electric generating facility both during and after the construction period, provided such assessments or taxes as so fixed represent an approximation of the commensurate portion of the projected tax liability of such facility based on a reasonable estimation of its fair market value as determined by the municipality upon the exercise of its best efforts.

(d) Any existing electric generating facility, the construction of

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which is completed before July 1, 1998, and any new electric generating facility, the construction of which is completed after July 1, 2019, which new electric generating facility is constructed at the same location as such existing electric generating facility, may be treated collectively as one combined electric generating facility for the purposes of section 32-71 as if such combined electric generating facility were located in an enterprise zone and used for commercial or retail purposes. Notwithstanding the provisions of section 32-71, upon the approval, either before or after July 1, 2019, of the legislative body of the municipality in which such combined electric generating facility is located, the full amount of either assessments or taxes may be fixed for the real and personal property of both such existing and new electric generating facilities before, during and after the construction period of such new electric generating facility, provided such assessments or taxes as so fixed represent an approximation of the projected tax liability of such combined electric generating facility based on a reasonable estimation of its fair market value as determined by the municipality upon the exercise of its best efforts.

[(d)] (e) As used in this section, "electric generating facility" means a facility, as defined in subdivision (3) of subsection (a) of section 16-50i.

Approved July 1, 2019