



General Assembly

January Session, 2021

**Raised Bill No. 6103**

LCO No. 2652



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:  
(PD)

***AN ACT CONCERNING PROPERTY TAX EXEMPTIONS FOR  
PROPERTY USED FOR CHARITABLE PURPOSES.***

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

1 Section 1. Subdivision (7) of section 12-81 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective October*  
3 *1, 2021, and applicable to assessment years commencing on or after October 1,*  
4 *2021*):

5 (7) (A) Subject to the provisions of sections 12-87 and 12-88, the real  
6 property of, or held in trust for, a corporation organized exclusively for  
7 scientific, educational, literary, historical or charitable purposes or for  
8 two or more such purposes and used exclusively for carrying out one or  
9 more of such purposes or for the purpose of preserving open space land,  
10 as defined in section 12-107b, for any of the uses specified in said section,  
11 that is owned by any such corporation, and the personal property of, or  
12 held in trust for, any such corporation, provided (i) any officer, member  
13 or employee thereof does not receive or at any future time shall not  
14 receive any pecuniary profit from the operations thereof, except  
15 reasonable compensation for services in effecting one or more of such

16 purposes or as proper beneficiary of its strictly charitable purposes, and  
17 (ii) in 1965, and quadrennially thereafter, a statement shall be filed on or  
18 before [the first day of] November first with the assessor or board of  
19 assessors of any town, consolidated town and city or consolidated town  
20 and borough, in which any of its property claimed to be exempt is  
21 situated. Such statement shall be filed on a form provided by such  
22 assessor or board of assessors. Such form shall be posted on the Internet  
23 web site of such assessor or board of assessors, if applicable. The real  
24 property shall be eligible for the exemption regardless of whether it is  
25 used by another corporation organized exclusively for scientific,  
26 educational, literary, historical or charitable purposes or for two or more  
27 such purposes;

28 (B) On and after [July 1, 1967] October 1, 2021, housing subsidized, in  
29 whole or in part, by federal, state or local government and housing for  
30 persons or families of low and moderate income shall not constitute a  
31 charitable purpose under this section. As used in this subdivision,  
32 "housing" shall not include real property used for [temporary] housing  
33 belonging to, or held in trust for, any corporation organized exclusively  
34 for charitable purposes and exempt from taxation for federal income tax  
35 purposes, the primary use of which property is one or more of the  
36 following: (i) An orphanage; (ii) a drug or alcohol treatment or  
37 rehabilitation facility; (iii) housing for persons who are homeless,  
38 persons with a mental health disorder, persons with intellectual or  
39 physical disability or victims of domestic violence; (iv) housing for ex-  
40 offenders or for individuals participating in a program sponsored by the  
41 state Department of Correction or Judicial Branch; [and] or (v) short-  
42 term housing operated by a charitable organization where the average  
43 length of stay is less than six months. The operation of such housing,  
44 including the receipt of any rental payments, by such charitable  
45 organization shall be deemed to be an exclusively charitable purpose.  
46 For the purposes of this subdivision, payments made by federal, state or  
47 local government for the treatment, support or care of individuals  
48 housed in the real property described in subparagraphs (B)(i) to (B)(v),  
49 inclusive, of this subdivision shall not constitute housing subsidies;

50       Sec. 2. Section 12-89 of the general statutes is repealed and the  
 51 following is substituted in lieu thereof (*Effective October 1, 2021, and*  
 52 *applicable to assessment years commencing on or after October 1, 2021*):

53       The board of assessors of each town, consolidated town and city or  
 54 consolidated town and borough shall inspect the statements filed with  
 55 it [and required by] pursuant to sections 12-81, as amended by this act,  
 56 and 12-87 from scientific, educational, literary, historical, charitable,  
 57 agricultural and cemetery organizations, and shall determine what part,  
 58 if any, of the property claimed to be exempt by the organization [shall  
 59 be] is in fact exempt. [and] The board of assessors shall place a valuation  
 60 upon [all] any such property [, if any, as is] found to be taxable, [,  
 61 provided any] Any property acquired by any tax-exempt organization  
 62 after [the first day of] October first shall first become exempt on the  
 63 assessment date next succeeding the date of acquisition. In determining  
 64 what part, if any, of a property claimed to be exempt is in fact exempt,  
 65 the board of assessors shall consider whether the property is owned or  
 66 held in trust for a corporation organized exclusively for charitable  
 67 purposes and exempt from taxation for federal income tax purposes. If  
 68 the board of assessors determines that property claimed to be exempt is  
 69 taxable, the board of assessors shall state upon its records the rationale  
 70 for such determination. Any organization filing a tax-exempt statement,  
 71 aggrieved at the action of the assessor or board of assessors, may appeal,  
 72 within the time prescribed by law for such appeals, to the board of  
 73 assessment appeals. Any such organization claiming to be aggrieved by  
 74 the action of the board of assessment appeals may, within two months  
 75 from the time of such action, make application in the nature of an appeal  
 76 therefrom to the superior court for the judicial district in which such  
 77 property is situated.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021, and applicable to assessment years commencing on or after October 1, 2021</i>	12-81(7)

Sec. 2	<i>October 1, 2021, and applicable to assessment years commencing on or after October 1, 2021</i>	12-89
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**Statement of Purpose:**

To require assessors and boards of assessors to post certain property tax exemption statement forms on such assessors' and boards' Internet web sites, specify that payments made by federal, state or local governments for the treatment, support or care of certain individuals shall not constitute housing subsidies for the purposes of determining what is a charitable purpose and require boards of assessors to consider whether certain property claimed to be exempt is owned or held in trust by federal tax-exempt charitable organizations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*