



General Assembly

Amendment

February Session, 2022

LCO No. 4557



Offered by:

REP. MCCARTHY VAHEY, 133rd Dist.

SEN. CASSANO, 4th Dist.

To: Subst. House Bill No. **5168**

File No. 177

Cal. No. 150

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

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

3 "Section 1. Subdivision (7) of section 12-81 of the 2022 supplement to
4 the general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective October 1, 2022, and applicable to assessment years*
6 *commencing on or after October 1, 2022*):

7 (7) (A) Subject to the provisions of sections 12-87 and 12-88, the real
8 property of, or held in trust for, a corporation organized exclusively for
9 scientific, educational, literary, historical or charitable purposes or for
10 two or more such purposes and used exclusively for carrying out one or
11 more of such purposes or for the purpose of preserving open space land,
12 as defined in section 12-107b, for any of the uses specified in said section,
13 that is owned by any such corporation, and the personal property of, or
14 held in trust for, any such corporation, provided (i) any officer, member

15 or employee thereof does not receive or at any future time shall not
16 receive any pecuniary profit from the operations thereof, except
17 reasonable compensation for services in effecting one or more of such
18 purposes or as proper beneficiary of its strictly charitable purposes, and
19 (ii) in 1965, and quadrennially thereafter, a statement shall be filed on or
20 before [the first day of] November first with the assessor or board of
21 assessors of any town, consolidated town and city or consolidated town
22 and borough, in which any of its property claimed to be exempt is
23 situated. Such statement shall be filed on a form provided by such
24 assessor or board of assessors. Such form shall be posted on the Internet
25 web site of such assessor or board of assessors, if applicable. The real
26 property shall be eligible for the exemption regardless of whether it is
27 used by another corporation organized exclusively for scientific,
28 educational, literary, historical or charitable purposes or for two or more
29 such purposes;

30 (B) On and after [July 1, 1967] October 1, 2022, housing subsidized, in
31 whole or in part, by federal, state or local government and housing for
32 persons or families of low and moderate income shall not constitute a
33 charitable purpose under this section. As used in this subdivision,
34 "housing" shall not include real property used for [temporary] housing
35 belonging to, or held in trust for, any corporation organized exclusively
36 for charitable purposes and exempt from taxation for federal income tax
37 purposes, the primary use of which property is one or more of the
38 following: (i) An orphanage; (ii) a drug or alcohol treatment or
39 rehabilitation facility; (iii) housing for persons who are homeless,
40 persons with a mental health disorder, persons with intellectual or
41 physical disability or victims of domestic violence; (iv) housing for ex-
42 offenders or for individuals participating in a program sponsored by the
43 state Department of Correction or Judicial Branch; [and] or (v) short-
44 term housing operated by a charitable organization where the average
45 length of stay is less than six months. The operation of such housing,
46 including the receipt of any rental payments, by such charitable
47 organization shall be deemed to be an exclusively charitable purpose.
48 For the purposes of this subdivision, payments made by federal, state or

49 local government for the treatment, support or care of individuals
50 housed in the real property described in subparagraphs (B)(i) to (B)(v),
51 inclusive, of this subdivision shall not constitute housing subsidies;

52 Sec. 2. Section 12-89 of the general statutes is repealed and the
53 following is substituted in lieu thereof (*Effective July 1, 2022, and*
54 *applicable to assessment years commencing on or after October 1, 2022*):

55 The board of assessors of each town, consolidated town and city or
56 consolidated town and borough shall inspect the statements filed with
57 it [and required by] pursuant to sections 12-81, as amended by this act,
58 and 12-87 from scientific, educational, literary, historical, charitable,
59 agricultural and cemetery organizations, and shall determine what part,
60 if any, of the property claimed to be exempt by the organization [shall
61 be] is in fact exempt. [and] The board of assessors shall place a valuation
62 upon [all] any such property [, if any, as is] found to be taxable. [,
63 provided any] Any property acquired by any tax-exempt organization
64 after [the first day of] October first shall first become exempt on the
65 assessment date next succeeding the date of acquisition. For assessment
66 years commencing on or after October 1, 2022, if the board of assessors
67 determines that property claimed to be exempt is taxable, the board of
68 assessors shall state upon its records the rationale for such
69 determination. Any organization filing a tax-exempt statement,
70 aggrieved at the action of the assessor or board of assessors, may appeal,
71 within the time prescribed by law for such appeals, to the board of
72 assessment appeals. Any such organization claiming to be aggrieved by
73 the action of the board of assessment appeals may, within two months
74 from the time of such action, make application in the nature of an appeal
75 therefrom to the superior court for the judicial district in which such
76 property is situated."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2022, and applicable to assessment years commencing on or after October 1, 2022</i>	12-81(7)
Sec. 2	<i>July 1, 2022, and applicable to assessment years commencing on or after October 1, 2022</i>	12-89