



General Assembly

***Raised Bill No. 916***

January Session, 2023

LCO No. 3080



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:  
(PD)

***AN ACT CONCERNING FORECLOSURE, ASSIGNMENT AND OTHER ENFORCEMENT ACTIONS FOR UNPAID SEWER ASSESSMENTS AND OTHER FEES AND CHARGES.***

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

1 Section 1. Subsections (a) to (c), inclusive, of section 7-254 of the  
2 general statutes are repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2023, and applicable to actions filed on or after*  
4 *October 1, 2023*):

5 (a) Any assessment of benefits or any installment thereof, not paid  
6 within thirty days after the due date, shall be delinquent and shall be  
7 subject to interest from such due date at the interest rate and in the  
8 manner provided by the general statutes for delinquent property taxes.  
9 Each addition of interest shall be collectible as a part of such  
10 assessment.

11 (b) (1) Whenever any installment of an assessment becomes  
12 delinquent, the interest on such delinquent installment shall be as  
13 provided in subsection (a) of this section or five dollars, whichever is

14 greater. Any unpaid assessment and any interest due thereon shall  
15 constitute a lien upon the real estate against which the assessment was  
16 levied from the date of such levy. Each such lien may be continued,  
17 recorded and released in the manner provided by the general statutes  
18 for continuing, recording and releasing property tax liens. Each such  
19 lien shall take precedence over all other liens and encumbrances except  
20 taxes and may be enforced, in accordance with subdivision (2) of this  
21 subsection, in the same manner as property tax liens. The tax collector  
22 of the municipality may collect such assessments in accordance with  
23 any mandatory provision of the general statutes for the collection of  
24 property taxes and the municipality may recover any such assessment  
25 in a civil action against any person liable therefor.

26 (2) In the case of one or more liens for any unpaid assessment and  
27 any interest due thereon, as described in subdivision (1) of this  
28 subsection, upon any owner-occupied real estate, no such lien or liens  
29 may be enforced unless the principal for all such liens upon such  
30 owner-occupied real estate exceeds four thousand dollars.

31 (c) [Any] (1) Except as provided in subdivision (2) of this subsection,  
32 any municipality, by resolution of its legislative body, may assign, for  
33 consideration, any and all liens filed by the tax collector to secure  
34 unpaid sewer assessments as provided under the provisions of this  
35 chapter. The consideration received by the municipality shall be  
36 negotiated between the municipality and the assignee.

37 (2) In the case of one or more liens filed by the tax collector to secure  
38 unpaid assessments, as described in subdivision (1) of this subsection,  
39 upon any owner-occupied real estate, no such lien or liens may be  
40 assigned unless the principal for all such liens upon such owner-  
41 occupied real estate exceeds four thousand dollars.

42 Sec. 2. Subsections (a) and (b) of section 7-258 of the general statutes  
43 are repealed and the following is substituted in lieu thereof (*Effective*  
44 *October 1, 2023, and applicable to actions filed on or after October 1, 2023*):

45 (a) (1) Any charge for connection with or for the use of a sewerage  
46 system, not paid within thirty days of the due date, shall thereupon be  
47 delinquent and shall bear interest from the due date at the rate and in  
48 the manner provided by the general statutes for delinquent property  
49 taxes. Each addition of interest shall be collectible as a part of such  
50 connection or use charge. Any such unpaid connection or use charge  
51 shall constitute a lien upon the real estate against which such charge  
52 was levied from the date it became delinquent. Each such lien may be  
53 continued, recorded and released in the manner provided by the  
54 general statutes for continuing, recording and releasing property tax  
55 liens. Each such lien shall take precedence over all other liens and  
56 encumbrances except taxes and may be foreclosed in the same manner  
57 as a lien for property taxes in accordance with subdivision (2) of this  
58 subsection. The municipality may by ordinance designate the tax  
59 collector or any other person as collector of sewerage system  
60 connection and use charges and such collector of sewerage system  
61 connection and use charges may collect such charges in accordance  
62 with the provisions of the general statutes for the collection of property  
63 taxes. The municipality may recover any such charges in a civil action  
64 against any person liable therefor. For the purpose of establishing or  
65 revising such connection or use charges and for the purpose of  
66 collecting such charges any municipality may enter into agreements  
67 with any water company or municipal water department furnishing  
68 water in such municipality for the purchase from such water company  
69 or municipal water department of information or services and such  
70 agreement may designate such water company or municipal water  
71 department as a billing or collecting agent of the collector of sewerage  
72 system connection and use charges in the municipality. Any water  
73 company or municipal water department may enter into and fulfill any  
74 such agreements and may utilize for the collection of such charges any  
75 of the methods utilized by it for the collection of its water charges.

76 (2) In the case of one or more liens for any unpaid connection or use  
77 charge, as described in subdivision (1) of this subsection, upon any  
78 owner-occupied real estate, no such lien or liens may be foreclosed

79 unless the principal for all such liens upon such owner-occupied real  
80 estate exceeds four thousand dollars.

81 (b) [Any] (1) Except as provided in subdivision (2) of this  
82 subsection, any municipality, by resolution of its legislative body, may  
83 assign, for consideration, any and all liens filed by the tax collector or  
84 collector of sewerage system connection and use charges to secure  
85 unpaid sewerage connection and use charges as provided under the  
86 provisions of this chapter. The consideration received by the  
87 municipality shall be negotiated between the municipality and the  
88 assignee.

89 (2) In the case of one or more liens filed by the tax collector or  
90 collector of sewerage system connection and use charges to secure  
91 unpaid sewerage connection and use charges, as described in  
92 subdivision (1) of this subsection, upon any owner-occupied real  
93 estate, no such lien or liens may be assigned unless the principal for all  
94 such liens upon such owner-occupied real estate exceeds four  
95 thousand dollars.

96 Sec. 3. Section 22a-506 of the general statutes is repealed and the  
97 following is substituted in lieu thereof (*Effective October 1, 2023, and*  
98 *applicable to actions filed on or after October 1, 2023*):

99 (a) An authority may (1) levy and collect benefit assessments upon  
100 the lands and buildings within its jurisdiction that, in its judgment, are  
101 especially benefited by a wastewater system; (2) establish, revise and  
102 collect rates, fees, charges, penalties and assessments for the use and  
103 benefits of a wastewater system; and (3) order the owner of any  
104 building which is accessible to a wastewater system to connect to such  
105 system, all in the manner provided in sections 7-249 to 7-257, inclusive,  
106 and sections 22a-416 to 22a-599, inclusive.

107 (b) (1) Any assessment of benefits, including any installment  
108 thereof, and any charge, fee, fine or other amount that is not paid  
109 within thirty days after the due date shall be delinquent, shall be

110 subject to interest and shall constitute a lien upon the premises served  
111 and a charge upon the owner thereof all in the manner provided both  
112 by the provisions of the general statutes for delinquent property taxes  
113 and by section 7-258, as amended by this act. The rules and regulations  
114 of the authority may provide for the discontinuance of water pollution  
115 control service for nonpayment of taxes, special assessments, fees,  
116 rates, penalties or other charges therefor imposed under sections 22a-  
117 500 to 22a-519, inclusive. Such lien shall take precedence over all other  
118 liens or encumbrances except taxes and may be foreclosed against the  
119 lot or building served, in accordance with subdivision (2) of this  
120 subsection, in the same manner as a lien for taxes, provided all such  
121 liens shall continue until such time as they shall be discharged or  
122 foreclosed by the authority without the necessity of filing certificates of  
123 continuation, but in no event for longer than ten years. The authority  
124 may institute a civil action against such owner to recover the amount  
125 of any such fee or charge which remains due and unpaid for thirty  
126 days along with interest thereon at the same rate as unpaid taxes and  
127 with reasonable attorneys' fees, provided no such civil action to  
128 recover such amount may be instituted against the owner of an owner-  
129 occupied premises unless the principal for such amount exceeds four  
130 thousand dollars.

131 (2) In the case of one or more liens for any assessment of benefits  
132 and any charge, fee, fine or other amount that is not paid within thirty  
133 days after the due date, as described in subdivision (1) of this  
134 subsection, upon any owner-occupied premises served, no such lien or  
135 liens may be foreclosed unless the principal for all such liens upon  
136 such owner-occupied premises served exceeds four thousand dollars.

137 Sec. 4. Subsection (a) of section 49-92o of the general statutes is  
138 repealed and the following is substituted in lieu thereof (*Effective*  
139 *October 1, 2023, and applicable to actions filed on or after October 1, 2023*):

140 (a) [Any] (1) Except as provided in subdivision (2) of this  
141 subsection, any regional sewer authority established under an act of  
142 the General Assembly, may assign, for consideration, any and all liens

143 filed by such regional sewer authority to secure unpaid sewer  
 144 assessments or connection or use charges of the authority. The  
 145 consideration received by the authority shall be negotiated between  
 146 the authority and the assignee.

147 (2) In the case of one or more liens filed by a regional sewer  
 148 authority to secure unpaid sewer assessment or connection or use  
 149 charges of the authority, as described in subdivision (1) of this  
 150 subsection, upon any owner-occupied real estate, no such lien or liens  
 151 may be assigned unless the principal for all such liens upon such  
 152 owner-occupied real estate exceeds four thousand dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023, and applicable to actions filed on or after October 1, 2023</i>	7-254(a) to (c)
Sec. 2	<i>October 1, 2023, and applicable to actions filed on or after October 1, 2023</i>	7-258(a) and (b)
Sec. 3	<i>October 1, 2023, and applicable to actions filed on or after October 1, 2023</i>	22a-506
Sec. 4	<i>October 1, 2023, and applicable to actions filed on or after October 1, 2023</i>	49-92o(a)

**PD**      *Joint Favorable*