
OLR Bill Analysis

sSB 149

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

SUMMARY

This bill limits the enforcement and assignment of liens for delinquent sewer assessments and charges on owner-occupied real estate by municipal and regional sewer or water pollution control authorities (WPCA). It does so by prohibiting the following actions on these properties unless a lien's principal amount exceeds \$4,000 or five years have passed since the lien was filed and it remains unpaid:

1. municipal WPCAs enforcing liens for delinquent sewer assessments (e.g., by foreclosing the liens or selling the property at a tax sale) (§ 1);
2. municipal WPCAs foreclosing liens for delinquent connection or use charges (§ 2);
3. regional WPCAs foreclosing liens for delinquent assessments and connection and use charges or taking a civil action to recover the delinquent amounts (§ 3); and
4. municipal WPCAs and regional sewer authorities assigning liens for delinquent assessments or use charges (§§ 1-2 & 4).

For the regional entities, the principal amount of the liens for delinquent assessments and charges must be combined to determine whether they exceed the \$4,000 threshold. For the municipal WPCAs, the threshold is calculated separately for assessments and charges.

By law, unchanged by the bill, the statute of limitations for sewer liens (like property tax liens) is generally 15 years (CGS § 12-175).

EFFECTIVE DATE: October 1, 2024, and applicable to actions filed on or after that date.

BACKGROUND

Sewer Fees

There are generally three types of sewer fees: benefit assessments, user charges, and connection charges. Benefit assessments are meant to cover the capital costs incurred in building sanitary sewer lines and treatment plans. They are based on the benefits, or anticipated benefits, a property owner receives or will receive from the system. User charges are paid by sewer line users and are designed to recoup the costs of operating and maintaining the system. Connection charges apply when a property owner ties his or her property to a sewer line.

Related Bill

HB 5144, favorably reported by the Banking Committee, reduces, from 18% to 12%, the annual interest rate on delinquent property taxes (and certain other assessments, including sewer assessments and charges) when the lien is assigned to a third party, among other changes.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 12 Nay 8 (03/01/2024)