
OLR Bill Analysis

HB 5227 (as amended by House "A")*

AN ACT CONCERNING THE RELEASE OF CERTAIN LIENS OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.

SUMMARY

By law, the Department of Energy and Environmental Protection (DEEP) may record a lien against a property to secure repayment for expenses it paid to comply with certain environmental requirements (e.g., spill cleanup and response).

This bill creates a process by which someone with an interest in real property that is the subject of an undischarged DEEP lien, despite all relevant conditions being satisfied, may request the discharge and DEEP must abide by the request.

Under the bill, the person must request the lien discharge in writing to DEEP, sent by registered or certified mail, postage prepaid, return receipt requested. The bill gives DEEP 60 days after receiving the request to discharge the lien by mailing a release, by certified mail with return receipt requested, to the requester and any municipality where the lien is recorded. The lien release must meet the requirements under existing law for these instruments (e.g., it must include the parties' names, lien date, recording information, and a lienholder signature that was acknowledged and witnessed).

*House Amendment "A" strikes the underlying bill (File 56), which discontinued DEEP liens after 60 days passed the date they were discharged by a final payment or court disposition.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 34 Nay 0 (03/08/2024)