



General Assembly

**Substitute Bill No. 1064**

January Session, 2021



**AN ACT CONCERNING A WAIVER OF INTEREST ON PROPERTY TAX PAYMENTS FOR CERTAIN REAL AND PERSONAL PROPERTY AND THE INTEREST RATE FOR CERTAIN TAXES AND ASSESSMENTS.**

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

1 Section 1. (*Effective July 1, 2021, and applicable to any determination of*  
2 *interest on delinquent taxes on or after July 1, 2021*) Notwithstanding any  
3 provision of chapter 204 of the general statutes, any municipality may,  
4 upon approval by its legislative body, or by the board of selectmen in  
5 any town in which the legislative body is a town meeting, waive the  
6 interest on any property taxes that may be due for the 2020 tax year with  
7 respect to real or personal property located in such municipality that is  
8 held by any person, firm or corporation and used for business,  
9 commercial, financial, manufacturing, mercantile or trading purposes.

10 Sec. 2. Section 12-145 of the general statutes is repealed and the  
11 following is substituted in lieu thereof (*Effective July 1, 2021, and*  
12 *applicable to any determination of interest on delinquent taxes on or after July*  
13 *1, 2021*):

14 The tax collector of each municipality shall, at least five days next  
15 preceding the time when each tax becomes due and payable, give notice  
16 of the time and place at which the tax collector will receive such tax by  
17 advertising in a newspaper published in such municipality or, if no

18 newspaper is published in such municipality, by advertising in any  
19 newspaper of the state having a general circulation in such municipality  
20 and by posting such notice on a signpost, a bulletin board or the  
21 municipality's Internet web site. The tax collector shall repeat such  
22 advertising within one week after such tax has become due and payable  
23 and, again, at least five days before such tax becomes delinquent. Each  
24 such notice shall give each date on which such tax shall become due and  
25 payable and each date on which such tax shall become delinquent, and  
26 shall state that, as soon as such tax becomes delinquent, it shall be  
27 subject to interest at the rate of one [and one-half] per cent of such tax  
28 for each month or fraction thereof which elapses from the time when  
29 such tax becomes due and payable until the same is paid. The tax  
30 collector of a municipality may waive the interest on delinquent  
31 property taxes if the tax collector and the assessor, jointly, determine  
32 that the delinquency is attributable to an error by the tax assessor or tax  
33 collector and is not the result of any action or failure on the part of the  
34 taxpayer. The tax collector shall notify the taxing authority of the  
35 municipality of all waivers granted pursuant to this section.

36 Sec. 3. Section 12-146 of the general statutes is repealed and the  
37 following is substituted in lieu thereof (*Effective July 1, 2021, and*  
38 *applicable to any determination of interest on delinquent taxes on or after July*  
39 *1, 2021*):

40 Unless the context otherwise requires, wherever used in this section,  
41 "tax" includes each property tax and each installment and part thereof  
42 due to a municipality as it may have been increased by interest, fees and  
43 charges. If any tax due in a single installment or if any installment of any  
44 tax due in two or more installments is not paid in full (1) on or before  
45 the first day of the month next succeeding the month in which it became  
46 due and payable, or if not due and payable on the first day of the month,  
47 (2) on or before the same date of the next succeeding month  
48 corresponding to that of the month on which it became due and payable,  
49 the whole or such part of such installment as is unpaid shall thereupon  
50 be delinquent and shall be subject to interest from the due date of such

51 delinquent installment. Except for unpaid real estate taxes the collection  
52 of which was, or is, deferred under the provisions of section 12-174, and  
53 any predecessor and successor thereto, which unpaid real estate taxes  
54 continue to be subject to the provisions of such deferred collection  
55 statutes, the delinquent portion of the principal of any tax shall be  
56 subject to interest at the rate of [eighteen] twelve per cent per annum  
57 from the time when it became due and payable until the same is paid,  
58 subject to a minimum interest charge of two dollars per installment  
59 which any municipality, by vote of its legislative body, may elect not to  
60 impose, and provided, in any computation of such interest, under any  
61 provision of this section, each fractional part of a month in which any  
62 portion of the principal of such tax remains unpaid shall be considered  
63 to be equivalent to a whole month. Each addition of interest shall  
64 become, and shall be collectible as, a part of such tax. Interest shall  
65 accrue at said rate until payment of such taxes due notwithstanding the  
66 entry of any judgment in favor of the municipality against the taxpayer  
67 or the property of the taxpayer. The collector shall apply each partial  
68 payment to the wiping out of such interest before making any  
69 application thereof to the reduction of such principal. If any tax, at the  
70 time of assessment or because of a subsequent division, represents two  
71 or more items of property, the collector may receive payment in full of  
72 such part of the principal and interest of such tax as represents one or  
73 more of such items, even though interest in full on the entire amount of  
74 the principal of such tax has not been received up to the date of such  
75 payment; in which event, interest on the remaining portion of the  
76 principal of any such tax shall be computed, as the case may be, from  
77 the due date of such tax if no other payment after delinquency has been  
78 made or from the last date of payment of interest in full on the whole  
79 amount or unpaid balance of the principal of such delinquent tax if  
80 previous payment of interest has been made. Each collector shall keep a  
81 separate account of such interest and the time when the same has been  
82 received and shall pay over the same to the treasurer of the municipality  
83 of the collector as a part of such tax. No tax or installment thereof shall  
84 be construed to be delinquent under the provisions of this section if (A)  
85 such tax or installment was paid through a municipal electronic

86 payment service within the time allowed by statute for payment of such  
87 tax or installment, or (B) the envelope containing the amount due as  
88 such tax or installment, as received by the tax collector of the  
89 municipality to which such tax is payable, bears a postmark showing a  
90 date within the time allowed by statute for the payment of such tax or  
91 installment. Any municipality may, by vote of its legislative body,  
92 require that any delinquent property taxes shall be paid only in cash or  
93 by certified check or money order. Any municipality adopting such  
94 requirement may provide that such requirement shall only be applicable  
95 to delinquency exceeding a certain period in duration as determined by  
96 such municipality. Any municipality shall waive all or a portion of the  
97 interest due and payable under this section on a delinquent tax with  
98 respect to a taxpayer who has received compensation under chapter 968  
99 as a crime victim.

100 Sec. 4. Subsection (e) of section 7-148ff of the general statutes is  
101 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
102 *2021, and applicable to any determination of interest on delinquent assessments*  
103 *on or after July 1, 2021*):

104 (e) Any [unpaid] special assessment imposed by a municipality  
105 pursuant to the provisions of an ordinance adopted under subsection (c)  
106 of this section, not paid within thirty days after the due date, shall be  
107 delinquent and shall be subject to interest from such due date at the  
108 interest rate and in the manner provided by the general statutes for  
109 delinquent property taxes. Any such unpaid special assessment and any  
110 interest due thereon shall constitute a lien upon the real estate against  
111 which the [fine] special assessment was imposed from the date of such  
112 [fine] special assessment. Each such lien may be continued, recorded  
113 and released in the manner provided by the general statutes for  
114 continuing, recording and releasing property tax liens. Each such lien  
115 may be enforced in the same manner as property tax liens.

116 Sec. 5. Subsection (a) of section 7-328 of the general statutes is  
117 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
118 *2021, and applicable to any determination of interest on delinquent taxes on or*

119 after July 1, 2021):

120 (a) The territorial limits of the district shall constitute a separate  
121 taxing district, and the assessor or assessors of the town shall separate  
122 the property within the district from the other property in the town and  
123 shall annually furnish the clerk of the district with a copy of the grand  
124 list of all property in the district after it has been completed by the board  
125 of assessment appeals of the town. If the legislative body of the town  
126 elects, pursuant to section 12-62c, to defer all or any part of the amount  
127 of the increase in the assessed value of real property in the year a  
128 revaluation becomes effective and in any succeeding year in which such  
129 deferment is allowed, the grand list furnished to the clerk of the district  
130 for each such year shall reflect assessments based upon such deferment.  
131 When the district meeting has fixed the tax rate, the clerk shall prepare  
132 a rate bill, apportioning to each owner of property his proportionate  
133 share of the taxes, which rate bill, when prepared, shall be delivered to  
134 the treasurer; and the district and the treasurer thereof shall have the  
135 same powers as towns and collectors of taxes to collect and enforce  
136 payment of such taxes, including with regard to delinquent taxes and  
137 any interest thereon, and such taxes when laid shall be a lien upon the  
138 property in the same manner as town taxes, and such liens may be  
139 continued by certificates recorded in the land record office of the town,  
140 and foreclosed in the same manner as liens for town taxes or enforced  
141 in accordance with any provision of the general statutes for the  
142 collection of property taxes. The assessor or board of assessment appeals  
143 shall promptly forward to the clerk of the district any certificate of  
144 correction or notice of any other lawful change to the grand list of the  
145 district. The district clerk shall, within ten days of receipt of any such  
146 certificate or notice, forward a copy thereof to the treasurer, and the  
147 assessment of the property for which such certificate or notice was  
148 issued and the rate bill related thereto shall be corrected accordingly. If  
149 the district constructs any drain, sewer, sidewalk, curb or gutter, such  
150 proportion of the cost thereof as such district determines may be  
151 assessed by the board of directors, in the manner prescribed by such  
152 district, upon the property specially benefited by such drain, sewer,

153 sidewalk, curb or gutter, and the balance of such costs shall be paid from  
154 the general funds of the district. In the construction of any flood or  
155 erosion control system, the cost to such district may be assessed and  
156 shall be payable in accordance with sections 25-87 to 25-93, inclusive.  
157 The cost for the maintenance of water quality in a lake shall be assessed  
158 on the land in a district and payment shall be apportioned equally  
159 among the owners of parcels of property. Subject to the provisions of  
160 the general statutes, the district may issue bonds and the board of  
161 directors may pledge the credit of the district for any money borrowed  
162 for the construction of any public works or the acquisition of  
163 recreational facilities authorized by sections 7-324 to 7-329, inclusive,  
164 and such board shall keep a record of all notes, bonds and certificates of  
165 indebtedness issued, disposed of or pledged by the district. All moneys  
166 received by the directors on behalf of the district shall be paid to the  
167 treasurer. No contract or obligation which involves an expenditure in  
168 the amount of (1) ten thousand dollars or more in districts where the  
169 grand list is less than or equal to twenty million dollars, or (2) twenty  
170 thousand dollars or more in districts where the grand list is greater than  
171 twenty million dollars, in any one year shall be made by the board of  
172 directors, unless the same is specially authorized by a vote of the district,  
173 nor shall the directors borrow money without like authority. The clerk  
174 of the district shall give written notice to the treasurer of the town in  
175 which the district is located of any final decision of the board of directors  
176 to borrow money, not later than thirty days after the date of such  
177 decision. The district may adopt ordinances, with penalties to secure  
178 their enforcement, for the purpose of regulating the carrying out of the  
179 provisions of sections 7-324 to 7-329, inclusive, and defining the duties  
180 and compensation of its officers and the manner in which their duties  
181 shall be carried out.

<p>This act shall take effect as follows and shall amend the following sections:</p>
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Section 1	<i>July 1, 2021, and applicable to any determination of interest on delinquent taxes on or after July 1, 2021</i>	New section
Sec. 2	<i>July 1, 2021, and applicable to any determination of interest on delinquent taxes on or after July 1, 2021</i>	12-145
Sec. 3	<i>July 1, 2021, and applicable to any determination of interest on delinquent taxes on or after July 1, 2021</i>	12-146
Sec. 4	<i>July 1, 2021, and applicable to any determination of interest on delinquent assessments on or after July 1, 2021</i>	7-148ff(e)
Sec. 5	<i>July 1, 2021, and applicable to any determination of interest on delinquent taxes on or after July 1, 2021</i>	7-328(a)

**PD**

*Joint Favorable Subst.*

**Joint Favorable**