

1 H.101

2 Introduced by Representatives Morrissey of Bennington, Corcoran of
3 Bennington, Jerman of Essex, Komline of Dorset and Krawczyk
4 of Bennington

5 Referred to Committee on

6 Date:

7 Subject: Taxation; education finance; homestead declaration; filing deadline

8 Statement of purpose: This bill proposes to extend the filing deadline for
9 homestead declarations and property tax adjustments from September 1 to
10 21 days after the postmark date on the tax bill and to extend the deadline for
11 property tax adjustment claims from September 1 to 60 days after the postmark
12 on the tax bill.

13 An act relating to extension of filing deadlines for homestead declarations
14 and property tax adjustment claims

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 32 V.S.A. § 5410(h) and (i) are amended to read:

17 (h) The filing of a new or corrected declaration or rescission of an
18 erroneous declaration, on or before ~~September 1~~ of the 21st day following the
19 postmark date on the tax bill for the current property tax year, that is not
20 reflected in the first education fund payment under 16 V.S.A. § 4028 for that

1 fiscal year or in a municipality's first payment to the education fund under
2 subsection 5402(c) of this title for that fiscal year, shall be reflected in the final
3 net payment to or from the education fund for that fiscal year. The
4 municipality may retain 0.225 of one percent of the tax collected. Any
5 reduction in tax paid to a municipality due to a new, revised, or rescinded
6 declaration shall be paid by the municipality to the taxpayer no later than
7 May 15 of the fiscal year. No later than June 1, each municipality shall
8 provide to the state treasurer a list of taxpayers who filed late or corrected
9 declarations or rescinded declarations, the amount of the change in education
10 tax, and the amount of any interest and penalty billed the taxpayer.

11 (i) An owner filing a new or corrected declaration, or rescinding an
12 erroneous declaration, ~~after September 1~~ more than 21 days following the
13 postmark date on the tax bill shall not be entitled to a refund resulting from the
14 correct property classification; and any additional property tax and interest
15 which would result from the correct classification shall not be assessed as tax
16 and interest, but shall instead constitute an additional penalty, to be assessed
17 and collected in the same manner as penalties under subsection (g) of this
18 section. Any change in property classification under this subsection shall not
19 be entered on the grand list.

1 Sec. 2. 32 V.S.A. § 6068(b) and (c) are amended to read:

2 (b) Late-filing penalties. If the claimant fails to file a timely claim, the
3 amount of the property tax adjustment under this chapter shall be reduced by
4 \$15.00, but not below \$0.00, which shall be paid to the municipality for the
5 cost of issuing an adjusted homestead property tax bill. No benefit shall be
6 allowed in the calendar year unless the claim is filed with the commissioner ~~on~~
7 ~~or before September 1~~ within 60 days of the postmark date of the tax bill.

8 (c) No request for allocation of an income tax refund may be made ~~after~~
9 ~~September 1~~ more than 60 days after the postmark date of the tax bill.

10 Sec. 3. EFFECTIVE DATE

11 This act shall apply to homestead declarations and property tax adjustment
12 claims filed in 2008 and after.