



# House of Representatives

General Assembly

**File No. 593**

February Session, 2016

House Bill No. 5492

*House of Representatives, April 13, 2016*

The Committee on Finance, Revenue and Bonding reported through REP. BERGER of the 73rd Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT INCREASING CERTAIN MUNICIPAL FILING FEES.**

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

1 Section 1. Section 30-53 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2016*):

3 Each permit granted or renewed by the Department of Consumer  
4 Protection shall be of no effect until a duplicate thereof has been filed  
5 by the permittee with the town clerk of the town within which the club  
6 or place of business described in such permit is situated; provided the  
7 place of filing of railroad and boat permits shall be the office of the  
8 town clerk of the town of New Haven, and airline permits, the office of  
9 the town clerk of the town of Hartford. The fee for such filing shall be  
10 [two] twenty dollars.

11 Sec. 2. Subdivision (1) of subsection (a) of section 7-34a of the  
12 general statutes is repealed and the following is substituted in lieu  
13 thereof (*Effective July 1, 2016*):

14 (a) (1) Town clerks shall receive, for recording any document, ten  
15 dollars for the first page and five dollars for each subsequent page or  
16 fractional part thereof, a page being not more than eight and one-half  
17 by fourteen inches. Town clerks shall receive, for recording the  
18 information contained in a certificate of registration for the practice of  
19 any of the healing arts, five dollars. Town clerks shall receive, for  
20 recording documents conforming to, or substantially similar to, section  
21 47-36c, which are clearly entitled "statutory form" in the heading of  
22 such documents, as follows: For the first page of a warranty deed, a  
23 quitclaim deed, a mortgage deed, or an assignment of mortgage, ten  
24 dollars; for each additional page of such documents, five dollars; and  
25 for each assignment of mortgage, subsequent to the first two  
26 assignments, two dollars. Town clerks shall receive, for recording any  
27 document with respect to which certain data must be submitted by  
28 each town clerk to the Secretary of the Office of Policy and  
29 Management in accordance with section 10-261b, two dollars in  
30 addition to the regular recording fee. Any person who offers any  
31 written document for recording in the office of any town clerk, which  
32 document fails to have legibly typed, printed or stamped directly  
33 beneath the signatures the names of the persons who executed such  
34 document, the names of any witnesses thereto and the name of the  
35 officer before whom the same was acknowledged, shall pay one dollar  
36 in addition to the regular recording fee. Town clerks shall receive, for  
37 recording any deed, except a mortgage deed, conveying title to real  
38 estate, which deed does not contain the current mailing address of the  
39 grantee, five dollars in addition to the regular recording fee. Town  
40 clerks shall receive, for filing any document, [~~five~~] ten dollars; for  
41 receiving and keeping a survey or map, legally filed in the town clerk's  
42 office, [~~five~~] ten dollars; and for indexing such survey or map, in  
43 accordance with section 7-32, [~~five~~] ten dollars, except with respect to  
44 indexing any such survey or map pertaining to a subdivision of land as  
45 defined in section 8-18, in which event town clerks shall receive  
46 [~~fifteen~~] twenty dollars for each such indexing. Town clerks shall  
47 receive, for a copy, in any format, of any document either recorded or  
48 filed in their offices, one dollar for each page or fractional part thereof,

49 as the case may be; for certifying any copy of the same, two dollars; for  
50 making a copy of any survey or map, the actual cost thereof; and for  
51 certifying such copy of a survey or map, two dollars. Town clerks shall  
52 receive, for recording the commission and oath of a notary public, [ten]  
53 twenty dollars; and for certifying under seal to the official character of  
54 a notary, [two] five dollars.

55 Sec. 3. Section 7-73 of the general statutes is repealed and the  
56 following is substituted in lieu thereof (*Effective July 1, 2016*):

57 (a) To any person performing the duties required by the provisions  
58 of the general statutes relating to registration of marriages, deaths and  
59 fetal deaths, the following fees shall be allowed: (1) For the license to  
60 marry, [ten] thirty dollars; and (2) for issuing each burial or removal,  
61 transit and burial permit, [three] five dollars.

62 (b) A twenty-dollar surcharge shall be paid to the registrar for each  
63 license to marry in addition to the fee for such license established  
64 pursuant to subsection (a) of this section. The registrar shall retain one  
65 dollar from each such surcharge for administrative costs and shall  
66 forward the remainder, on or before the tenth day of the month  
67 following each calendar quarter, to the Department of Public Health.  
68 The receipts shall be deposited into an account of the State Treasurer  
69 and credited to the General Fund for further credit to a separate  
70 nonlapsing account established by the Comptroller for use by the  
71 Department of Social Services for shelter services for victims of  
72 household abuse in accordance with section 17b-850 and by the  
73 Department of Public Health for rape crisis services funded under  
74 section 19a-2a. Such funds shall be allocated for these purposes by the  
75 Office of Policy and Management in consultation with the  
76 Commissioners of Social Services and Public Health based on an  
77 evaluation of need, service delivery costs and availability of other  
78 funds. The Commissioners of Social Services and Public Health shall  
79 distribute such funds to the recipient organizations in accordance with  
80 such allocations not later than October fifteenth, annually. No such  
81 funds shall (1) be retained by the Office of Policy and Management, the

82 Commissioner of Social Services or the Commissioner of Public Health  
83 for administrative purposes; or (2) supplant any state or federal funds  
84 otherwise available for such services.

85 Sec. 4. Subsection (b) of section 19a-323 of the general statutes is  
86 repealed and the following is substituted in lieu thereof (*Effective July*  
87 *1, 2016*):

88 (b) If death occurred in this state, the death certificate required by  
89 law shall be filed with the registrar of vital statistics for the town in  
90 which such person died, if known, or, if not known, for the town in  
91 which the body was found. The Chief Medical Examiner, Deputy Chief  
92 Medical Examiner, associate medical examiner, an authorized assistant  
93 medical examiner or other authorized designee shall complete the  
94 cremation certificate, stating that such medical examiner or other  
95 authorized designee has made inquiry into the cause and manner of  
96 death and is of the opinion that no further examination or judicial  
97 inquiry is necessary. The cremation certificate shall be submitted to the  
98 registrar of vital statistics of the town in which such person died, if  
99 known, or, if not known, of the town in which the body was found, or  
100 with the registrar of vital statistics of the town in which the funeral  
101 director having charge of the body is located. Upon receipt of the  
102 cremation certificate, the registrar shall authorize such certificate, keep  
103 such certificate on permanent record, and issue a cremation permit,  
104 except that if the cremation certificate is submitted to the registrar of  
105 the town where the funeral director is located, such certificate shall be  
106 forwarded to the registrar of the town where the person died to be  
107 kept on permanent record. If a cremation permit must be obtained  
108 during the hours that the office of the local registrar of the town where  
109 death occurred is closed, a subregistrar appointed to serve such town  
110 may authorize such cremation permit upon receipt and review of a  
111 properly completed cremation permit and cremation certificate. A  
112 subregistrar who is licensed as a funeral director or embalmer  
113 pursuant to chapter 385, or the employee or agent of such funeral  
114 director or embalmer shall not issue a cremation permit to himself or  
115 herself. A subregistrar shall forward the cremation certificate to the

116 local registrar of the town where death occurred, not later than seven  
 117 days after receiving such certificate. The estate of the deceased person,  
 118 if any, shall pay the sum of one hundred fifty dollars for the issuance  
 119 of the cremation certificate, provided the Office of the Chief Medical  
 120 Examiner shall not assess any fees for costs that are associated with the  
 121 cremation of a stillborn fetus. Upon request of the Chief Medical  
 122 Examiner, the Secretary of the Office of Policy and Management may  
 123 waive payment of such cremation certificate fee. No cremation  
 124 certificate shall be required for a permit to cremate the remains of  
 125 bodies pursuant to section 19a-270a. When the cremation certificate is  
 126 submitted to a town other than that where the person died, the  
 127 registrar of vital statistics for such other town shall ascertain from the  
 128 original removal, transit and burial permit that the certificates required  
 129 by the state statutes have been received and recorded, that the body  
 130 has been prepared in accordance with the Public Health Code and that  
 131 the entry regarding the place of disposal is correct. Whenever the  
 132 registrar finds that the place of disposal is incorrect, the registrar shall  
 133 issue a corrected removal, transit and burial permit and, after  
 134 inscribing and recording the original permit in the manner prescribed  
 135 for sextons' reports under section 7-66, shall then immediately give  
 136 written notice to the registrar for the town where the death occurred of  
 137 the change in place of disposal stating the name and place of the  
 138 crematory and the date of cremation. Such written notice shall be  
 139 sufficient authorization to correct these items on the original certificate  
 140 of death. The fee for a cremation permit shall be [three] five dollars  
 141 and for the written notice one dollar. The Department of Public Health  
 142 shall provide forms for cremation permits, which shall not be the same  
 143 as for regular burial permits and shall include space to record  
 144 information about the intended manner of disposition of the cremated  
 145 remains, and such blanks and books as may be required by the  
 146 registrars.

|   |              |       |
|---|--------------|-------|
| This act shall take effect as follows and shall amend the following sections: |              |       |
| Section 1   | July 1, 2016 | 30-53 |

|        |                     |             |
|--------|---------------------|-------------|
| Sec. 2 | <i>July 1, 2016</i> | 7-34a(a)(1) |
| Sec. 3 | <i>July 1, 2016</i> | 7-73        |
| Sec. 4 | <i>July 1, 2016</i> | 19a-323(b)  |

**FIN**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:**

| <b>Municipalities</b> | <b>Effect</b> | <b>FY 17 \$</b>             | <b>FY 18 \$</b>             |
|-----------------------|---------------|-----------------------------|-----------------------------|
| All Municipalities    | Revenue Gain  | Less than \$30,000 per town | Less than \$30,000 per town |

**Explanation**

The bill increases various fees charged by town clerks' offices (such as marriage license fees, liquor permit fees, etc.). There is a minimal revenue gain associated with these fee increases, estimated to be less than \$30,000 in a large city. The table below shows the estimated revenue gain in towns of varying populations:

| <b>Municipality</b> | <b>Est. Revenue Gain \$</b> |
|---------------------|-----------------------------|
| Waterbury           | 24,300                      |
| West Hartford       | 14,400                      |
| Westport            | 6,400                       |
| East Haddam         | 2,100                       |

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of licenses issued by and documents filed with town clerks' offices.

**OLR Bill Analysis**

**HB 5492**

**AN ACT INCREASING CERTAIN MUNICIPAL FILING FEES.**

**SUMMARY:**

This bill increases the fees municipalities must charge for various permits and filings, as shown in Table 1.

**Table 1: Municipal Fee Increases**

| <i>Fee Description</i>                        | <i>Current Law</i> | <i>Bill</i> |
|---|--------------------|-------------|
| Liquor permit filing                          | \$2                | \$20        |
| Filing any document                           | 5                  | 10          |
| Survey or map filing and indexing             | 10                 | 20          |
| Subdivision survey or map indexing            | 20                 | 30          |
| Notary public: commission and oath filing     | 10                 | 20          |
| Notary public: character certification        | 2                  | 5           |
| Marriage license (including surcharge)        | 30                 | 50          |
| Burial or removal, transit, and burial permit | 3                  | 5           |
| Cremation permit                              | 3                  | 5           |

EFFECTIVE DATE: July 1, 2016

**BACKGROUND**

***Related Bill***

sHB 5046, favorably reported by the Finance, Revenue and Bonding Committee, includes identical provisions.

**COMMITTEE ACTION**

Finance, Revenue and Bonding Committee

Joint Favorable

Yea 44 Nay 0 (03/24/2016)