



General Assembly

Raised Bill No. 1142

January Session, 2023

LCO No. 4157



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT CONCERNING CERTAIN DELINQUENT PROPERTY TAX PAYMENTS.

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

1 Section 1. Section 12-145 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2023, and*
3 *applicable to assessment years commencing on or after October 1, 2023*):

4 The tax collector of each municipality shall, at least five days next
5 preceding the time when each tax becomes due and payable, give
6 notice of the time and place at which the tax collector will receive such
7 tax by advertising in a newspaper published in such municipality or, if
8 no newspaper is published in such municipality, by advertising in any
9 newspaper of the state having a general circulation in such
10 municipality and by posting such notice on a signpost, a bulletin board
11 or the municipality's Internet web site. The tax collector shall repeat
12 such advertising within one week after such tax has become due and
13 payable and, again, at least five days before such tax becomes
14 delinquent. Each such notice shall give each date on which such tax
15 shall become due and payable and each date on which such tax shall

16 become delinquent, and shall state that, as soon as such tax becomes
17 delinquent, it shall be subject to interest at the rate of one [and one-
18 half] per cent of such tax for each month or fraction thereof which
19 elapses from the time when such tax becomes due and payable until
20 the same is paid. The tax collector of a municipality [may] shall waive
21 the interest on delinquent property taxes if the tax collector and the
22 assessor, jointly, determine that the delinquency is attributable to an
23 error by the tax assessor or tax collector and is not the result of any
24 action or failure on the part of the taxpayer. The tax collector shall
25 notify the taxing authority of the municipality of all waivers granted
26 pursuant to this section.

27 Sec. 2. Section 12-146 of the general statutes is repealed and the
28 following is substituted in lieu thereof (*Effective October 1, 2023, and*
29 *applicable to assessment years commencing on or after October 1, 2023*):

30 Unless the context otherwise requires, wherever used in this section,
31 "tax" includes each property tax and each installment and part thereof
32 due to a municipality as it may have been increased by interest, fees
33 and charges. If any tax due in a single installment or if any installment
34 of any tax due in two or more installments is not paid in full (1) on or
35 before the first day of the month next succeeding the month in which it
36 became due and payable, or if not due and payable on the first day of
37 the month, (2) on or before the same date of the next succeeding month
38 corresponding to that of the month on which it became due and
39 payable, the whole or such part of such installment as is unpaid shall
40 thereupon be delinquent and shall be subject to interest from the due
41 date of such delinquent installment. Except for unpaid real estate taxes
42 the collection of which was, or is, deferred under the provisions of
43 section 12-174, and any predecessor and successor thereto, which
44 unpaid real estate taxes continue to be subject to the provisions of such
45 deferred collection statutes, the delinquent portion of the principal of
46 any tax shall be subject to interest at the rate of [eighteen] twelve per
47 cent per annum from the time when it became due and payable until
48 the same is paid, subject to a minimum interest charge of two dollars

49 per installment which any municipality, by vote of its legislative body,
50 may elect not to impose, and provided, in any computation of such
51 interest, under any provision of this section, each fractional part of a
52 month in which any portion of the principal of such tax remains
53 unpaid shall be considered to be equivalent to a whole month. Each
54 addition of interest shall become, and shall be collectible as, a part of
55 such tax. Interest shall accrue at said rate until payment of such taxes
56 due notwithstanding the entry of any judgment in favor of the
57 municipality against the taxpayer or the property of the taxpayer. The
58 collector shall apply each partial payment to [the wiping out of] such
59 accrued interest before making any application thereof to the reduction
60 of such principal. If any tax, at the time of assessment or because of a
61 subsequent division, represents two or more items of property, the
62 collector may receive payment in full of such part of the principal and
63 interest of such tax as represents one or more of such items, even
64 though interest in full on the entire amount of the principal of such tax
65 has not been received up to the date of such payment; in which event,
66 interest on the remaining portion of the principal of any such tax shall
67 be computed, as the case may be, from the due date of such tax if no
68 other payment after delinquency has been made or from the last date
69 of payment of interest in full on the whole amount or unpaid balance
70 of the principal of such delinquent tax if previous payment of interest
71 has been made. Each collector shall keep a separate account of such
72 interest and the time when the same has been received and shall pay
73 over the same to the treasurer of the municipality of the collector as a
74 part of such tax. No tax or installment thereof shall be construed to be
75 delinquent under the provisions of this section if (A) such tax or
76 installment was paid through a municipal electronic payment service
77 within the time allowed by statute for payment of such tax or
78 installment, or (B) the envelope containing the amount due as such tax
79 or installment, as received by the tax collector of the municipality to
80 which such tax is payable, bears a postmark showing a date within the
81 time allowed by statute for the payment of such tax or installment.
82 Any municipality may, by vote of its legislative body, require that any
83 delinquent property taxes shall be paid only in cash or by certified

84 check or money order. Any municipality adopting such requirement
85 may provide that such requirement shall only be applicable to
86 delinquency exceeding a certain period in duration as determined by
87 such municipality. Any municipality shall waive all or a portion of the
88 interest due and payable under this section on a delinquent tax with
89 respect to a taxpayer who has received compensation under chapter
90 968 as a crime victim.

91 Sec. 3. Subsection (f) of section 12-157 of the general statutes is
92 repealed and the following is substituted in lieu thereof (*Effective*
93 *October 1, 2023, and applicable to assessment years commencing on or after*
94 *October 1, 2023*):

95 (f) Within sixty days after such sale, the collector shall cause to be
96 published in a newspaper having a daily general circulation in the
97 town in which the real property is located, and shall send by certified
98 mail, return receipt requested, to the delinquent taxpayer and each
99 mortgagee, lienholder and other encumbrancer of record whose
100 interest in such property is choate and is affected by such sale, a notice
101 stating the date of the sale, the name and address of the purchaser, the
102 amount the purchaser paid for the property and the date the
103 redemption period will expire. The notice shall include a statement
104 that if redemption does not take place by the date stated and in the
105 manner provided by law, the delinquent taxpayer, and all mortgagees,
106 lienholders and other encumbrancers who have received actual or
107 constructive notice of such sale as provided by law, that their
108 respective titles, mortgages, liens, restraints on alienation and other
109 encumbrances in such property shall be extinguished. After such
110 notice is published, and not later than six months after the date of the
111 sale or within sixty days if the property was abandoned or meets other
112 conditions established by ordinance adopted by the legislative body of
113 the municipality, if the delinquent taxpayer, mortgagee, lienholder or
114 other encumbrancer whose interest in the property will be affected by
115 such sale, pays to the collector, the amount of taxes, interest and
116 charges which were due and owing at the time of the sale together

117 with interest on the total purchase price paid by the purchaser at the
 118 rate of [eighteen] twelve per cent per annum from the date of such sale
 119 plus any taxes and debts owed to the municipality that were not
 120 recovered by the sale and any additional charges under section 12-140,
 121 such deed, executed pursuant to subsection (e) of this section, shall be
 122 delivered to the collector by the town clerk for cancellation and the
 123 collector shall provide a certificate of satisfaction to the person paying
 124 the money who, if not the person whose primary duty it was to pay
 125 the tax or taxes, shall have a claim against the person whose primary
 126 duty it was to pay such tax or taxes for the amount so paid, and may
 127 add the same with the equivalent precedence, rate of interest and
 128 priority as the tax paid over other nongovernmental encumbrances but
 129 without precedence or priority over any state or municipal tax lien or
 130 any tax that was not yet due and payable when notice of the levy was
 131 first published to any claim for which he has security upon the
 132 property sold, provided the certificate of satisfaction is recorded on the
 133 land records but the interests of other persons in the property shall not
 134 be affected. Within ten days of receipt of such amounts in redemption
 135 of the levied property, the collector shall notify the purchaser by
 136 certified mail, return receipt requested, that the property has been
 137 redeemed and shall tender such payment, together with the amount
 138 held pursuant to subparagraph (A) of subdivision (1) of subsection (i)
 139 of this section, if any, to the purchaser. If the purchase money and
 140 interest are not paid within such redemption period, the deed shall be
 141 recorded and have full effect.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023, and applicable to assessment years commencing on or after October 1, 2023</i>	12-145
Sec. 2	<i>October 1, 2023, and applicable to assessment years commencing on or after October 1, 2023</i>	12-146

Sec. 3	<i>October 1, 2023, and applicable to assessment years commencing on or after October 1, 2023</i>	12-157(f)
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PD *Joint Favorable*