



**Substitute House Bill No. 6870**

**Public Act No. 99-272**

***An Act Concerning Various Exemptions and Abatements from Property Taxes and the Dates of Veterans' Service for Certain Military Conflicts.***

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

Section 1. Subdivision (21) of section 12-81 of the general statutes is repealed and the following is substituted in lieu thereof:

(21) [(a)] (A) The dwelling house, and the lot whereupon the same is erected, belonging to or held in trust for any person who is a citizen and resident of this state, occupied as [his] such person's domicile, shall be exempt from local property taxation to the extent of ten thousand dollars of its assessed valuation or, lacking said amount in property in [his] such person's own name, so much of the property belonging to, or held in trust for, [his] such person's spouse, who is domiciled with [him] such person, as is necessary to equal said amount, if [he] such person is a veteran who served in the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States and has been declared by the United States Veterans' Administration or its successors to have a service-connected disability from paraplegia or osteochondritis resulting in permanent loss of the use of both legs or permanent paralysis of both legs and lower parts of the body; or from hemiplegia and has permanent paralysis of one leg and one arm or either side of the body resulting from injury to the spinal cord, skeletal structure or brain or from disease of the spinal cord not resulting from any form of syphilis; or from total blindness as defined in section 12-92; or from the amputation of both arms, both legs, both hands or both feet, or the combination of a hand and a foot; sustained through enemy action, or resulting from accident occurring or disease contracted in such active service. Nothing in this subdivision shall be construed to include paraplegia or hemiplegia resulting from locomotor ataxia or other forms of syphilis of the central nervous system, or from chronic alcoholism, or to include other forms of disease resulting from the veteran's own misconduct which may produce signs and symptoms similar to those resulting from paraplegia, osteochondritis or hemiplegia. The loss of the use of one arm or one leg because of service related injuries specified in this subdivision shall qualify a veteran for a property tax exemption in the same manner as hereinabove, provided such exemption shall be for five thousand dollars;

[(b)] (B) The exemption provided for in this subdivision shall be in addition to any other exemption of such person's real and personal property allowed by law, but no taxpayer shall

be allowed more than one exemption under this subdivision. ~~[and no]~~ No person shall be entitled to receive any exemption [to which he or she may be entitled] under this subdivision until [he or she has proved his or her right to such exemption in accordance with the provisions] such person has satisfied the requirements of subdivision (20) of this section. The surviving spouse of any such person who at the time of ~~[his or her]~~ such person's death was entitled to and had the exemption provided under this subdivision shall be entitled to the same exemption, ~~[(1)] (i) while such spouse remains a widow or widower, or [(2)] (ii) upon the termination of any subsequent marriage of such spouse by dissolution, annulment or death and while a resident of this state, for the time that such person is the legal owner of and actually occupies a dwelling house and premises intended to be exempted hereunder. When the property which is the subject of the claim for exemption provided for in this subdivision is greater than a single family house, the assessor shall aggregate the assessment on the lot and building and allow an exemption of that percentage of the aggregate assessment which the value of the portion of the building occupied by the claimant bears to the value of the entire building;~~

~~[(c)] (C)~~ Subject to the approval of the legislative body of the municipality, the dwelling house and the lot whereupon the same is erected, belonging to or held in trust for any citizen and resident of this state, occupied as ~~[his]~~ such person's domicile shall be fully exempt from local property taxation, if ~~[he]~~ such person is a veteran who served in the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States and has received financial assistance for specially adapted housing under the provisions of Section 801 of Title 38 of the United States Code and has applied such assistance toward the acquisition or modification of such dwelling house. The same exemption may also be allowed on such housing units owned by the surviving spouse of such veteran ~~[(1)] (i) while such spouse remains a widow or widower, or [(2)] (ii) upon the termination of any subsequent marriage of such spouse by dissolution, annulment or death, or by such veteran and spouse while occupying such premises as a residence.~~

Sec. 2. Subsection (a) of section 27-103 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) As used in the general statutes, except chapter 504, and except as otherwise provided: (1) "Armed forces" means the United States Army, Navy, Marine Corps, Coast Guard and Air Force; (2) "veteran" means any person honorably discharged from, or released under honorable conditions from active service in, the armed forces; (3) "service in time of war" means service of ninety or more days except, if the war, campaign or other operation lasted less than ninety days, "service in time of war" means service for the entire duration of the war, campaign or other operation, unless separated from service earlier because of a service-connected disability rated by the Veterans' Administration, during the Spanish-American War, April 21, 1898, to August 13, 1898; the Philippine insurrection, August 13, 1898, to July 4, 1902, but as to engagements in the Moro Province, to July 15, 1903; the Boxer Rebellion, June 20, 1900, to May 12, 1901; the Cuban pacification, September 12, 1906, to April 1, 1909; the Nicaraguan campaign, August 28, 1912, to November 2, 1913; the Haitian campaign, July 9, 1915, to December 6, 1915; the punitive expedition into Mexico, March 10, 1916, to April 6,

1917; World War I, April 6, 1917, to November 11, 1918, but as to service in Russia, to April 1, 1920; World War II, December 7, 1941, to December 31, 1946; and the Korean hostilities, June 27, 1950, to January 31, 1955; and shall include service during the Lebanon conflict, July 1, 1958, to November 1, 1958; the Berlin Airlift, August 14, 1961, to June 1, 1962; and the Vietnam era, [December 22, 1961] February 28, 1961, to July 1, 1975; and shall include service while engaged in combat or a combat support role during the peace-keeping mission in Lebanon, September 29, 1982, to March 30, 1984; the invasion of Grenada, October 25, 1983, to December 15, 1983; Operation Earnest Will, involving the escort of Kuwaiti oil tankers flying the United States flag in the Persian Gulf, February 1, 1987, to July 23, 1987; and the invasion of Panama, December 20, 1989, to January 31, 1990; and shall include service during Operation Desert Shield and Operation Desert Storm, August 2, 1990, to June 30, 1994; and shall include service during such periods with the armed forces of any government associated with the United States.

Sec. 3. Section 12-71 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) All goods, chattels and effects or any interest therein, belonging to any person who is a resident in this state, shall be listed for purposes of property tax in the town where such person resides, subject to the provisions of sections 12-43 and 12-59. Any such property belonging to any nonresident shall be listed for purposes of property tax as provided in said section 12-43.

(b) All property subject to this section shall be valued at the same percentage of its then actual valuation as the assessors have determined with respect to the listing of real estate for the same year, except that any motor vehicle for which number plates have been issued under section 14-20 and any aircraft manufactured prior to January 1, 1946, shall be assessed at a value of not more than five hundred dollars except when otherwise provided by law. The provisions of this section shall not include money or property actually invested in merchandise or manufacturing carried on out of this state or machinery or equipment which would be eligible for exemption under subdivision (72) of section 12-81 once installed and which can not or which has not begun manufacturing, processing or fabricating; being used for research and development, including experimental or laboratory research and development, design or engineering directly related to manufacturing; the significant servicing, overhauling or rebuilding of machinery and equipment for industrial use or the significant overhauling or rebuilding of other products on a factory basis; measuring or testing or metal finishing; or being used in the production of motion pictures, video and sound recordings.

(c) The tangible personal property of any person residing within a town having two or more taxing districts shall be assessed in the district in which such property was located the greater portion of the tax year next preceding the day on which such property lists are required to be filed in such town.

(d) Upon payment of such property tax assessed with respect to any property referred to in this section, owned by a resident or nonresident of this state, which is currently used or

intended for use in relation to construction, building, grading, paving or similar projects, including, but not limited to, motor vehicles, bulldozers, tractors and any trailer-type vehicle, excluding any such equipment weighing less than five hundred pounds, and excluding any motor vehicle subject to registration pursuant to chapter 246 or exempt from such registration by section 14-34, the town in which such equipment is taxed shall issue, at the time of such payment, for display on a conspicuous surface of each such item of equipment for which such tax has been paid, a validation decal or sticker, identifiable as to the year of issue, which will be presumptive evidence that such tax has been paid in the appropriate town of the state.

(e) (1) Personal property subject to taxation under this chapter shall not include computer software, except when the cost thereof is included, without being separately stated, in the cost of computer hardware. "Computer software" shall include any program or routine used to cause a computer to perform a specific task or set of tasks, including without limitation, operational and applicational programs and all documentation related thereto.

(2) The provisions of subdivision (1) of this subsection shall be applicable (A) to the assessment year commencing October 1, 1988, and each assessment year thereafter and (B) to any assessment of computer software made after September 30, 1988, for any assessment year commencing before October 1, 1988.

(3) Nothing contained in this subsection shall create any implication related to liability for property tax with respect to computer software prior to July 1, 1989.

(4) A certificate of correction in accordance with section 12-57 shall not be issued with respect to any property described in subdivision (1) of this subsection for any assessment year commencing prior to October 1, 1989.

(f) For assessment years commencing October 1, 1992, each municipality shall exempt aircraft, as defined in section 15-34, from the provisions of this chapter.

Sec. 4. Notwithstanding the provisions of section 12-81k of the general statutes, any person included in industry group 322211 or 332612 of the North American Industry Classification System, United States, 1997, (NAICS), edition claiming the exemption from property tax under the provisions of subdivision (72) of section 12-81 of the general statutes for grand list year 1998 who has failed to make application within the time specified for such exemption, relating to a manufacturing facility in a municipality having a population of greater than fifty thousand persons, shall be allowed, upon receipt by the assessor or board of assessors of a request from such person, an extension of time for the filing of such application until July 1, 1999, provided such person shall be required to pay a fee for late filing to the municipality in which the property, with respect to which such application is submitted, is situated, unless such fee is waived by the assessor or board of assessors. Said fee shall be calculated as follows: If the assessed value of the property with respect to which such application is submitted is one hundred thousand dollars or less, said fee shall be fifty dollars; if the assessed value of the property with respect to which such application is submitted is greater than one hundred thousand dollars but less than two hundred fifty thousand dollars, said fee shall be one hundred fifty dollars; if the assessed value of the property with respect to which such

application is submitted is equal to or greater than two hundred fifty thousand dollars but less than five hundred thousand dollars, said fee shall be two hundred fifty dollars; if the assessed value of the property with respect to which such application is submitted is equal to or greater than five hundred thousand dollars, said fee shall be five hundred dollars. Upon receipt of the application and fee and verification of payment of such taxes, the municipality may reimburse such person in an amount equal to the amount by which such taxes exceed the taxes payable if the application had been filed in a timely manner and notwithstanding the time for filing with the Secretary of the Office of Policy and Management specified in section 12-94b of the general statutes, whichever is applicable shall be eligible for payment pursuant to said section 12-94b.

Sec. 5. Notwithstanding the provisions of subparagraph (c) of subdivision (59) of section 12-81 of the general statutes, any person otherwise eligible for an exemption, relating to a manufacturing facility in a distressed municipality having a population of not less than one hundred thousand persons, pursuant to subparagraph (a) of said subdivision for grand list years 1995, 1996 and 1997, except that such person failed to make application within the time specified in said subparagraph (c), may submit an application for exemption not later than thirty days after the effective date of this act. The application shall be accompanied by the fee required by section 12-81k of the general statutes. Upon receipt of the application and fee and verification of payment of such taxes, the municipality may reimburse such person in an amount equal to the amount by which such taxes exceed the taxes payable if the application had been filed in a timely manner and notwithstanding the time for filing with the Secretary of the Office of Policy and Management specified in section 32-9s of the general statutes, shall be eligible for payment pursuant to said section 32-9s.

Sec. 6. (NEW) The legislative body of any municipality may establish, by ordinance, a program to abate up to one thousand dollars in property taxes due for any fiscal year for a resident of the municipality who volunteers his or her services as a firefighter, emergency medical technician, paramedic or ambulance driver in the municipality.

Sec. 7. This act shall take effect from its passage, except that section 1 shall be applicable to assessment years commencing on or after October 1, 1998, and sections 3 and 6 shall be applicable to assessment years commencing on or after October 1, 1999, and section 2 shall take effect October 1, 1999.

Approved June 15, 1999

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