

Changes to PA 490 Effective October 1, 2014 for Grand List 2014 and Assessment Years Thereafter

The change applies to 'Excepted Transfers' under CGS §12-504c. These are changes in ownership that do not trigger the required payment of the conveyance tax. The types of Excepted Transfers are listed below.

When there is an Excepted Transfer, Public Act 14-33 now requires:

- a) that the new owner complete a form notifying the assessor, for farmland, or the State Forester, for forest land) of the change in ownership
- b) that the new owner submit a new report from a certified forester, in accordance with CGS §12-107d, if such a report has not been submitted within the ten years prior to the change in ownership.

Under CGS §12-504c, Excepted Transfers are:

- (1) Transfers of land resulting from eminent domain proceedings;
- (2) mortgage deeds;
- (3) deeds to or by the United States of America, State of Connecticut or any political subdivision or agency thereof;
- (4) strawman deeds and deeds that correct, modify, supplement or confirm a deed previously recorded;
- (5) deeds between spouses and parent and child when no consideration is received, except that a subsequent nonexempt transfer by the grantee in such cases shall be subject to the provisions of said section 12-504a as it would be if the grantor were making such nonexempt transfer;
- (6) tax deeds;
- (7) deeds of foreclosure;
- (8) deeds of partition;
- (9) deeds made pursuant to a merger of a corporation;
- (10) deeds made by a subsidiary corporation to its parent corporation for no consideration other than the cancellation or surrender of the capital stock of such subsidiary;
- (11) property transferred as a result of death when no consideration is received and in such transfer the date of acquisition or classification of the land for purposes of sections

12-504a to 12-504f, inclusive, as amended by PA 14-33, or section 12-107g, whichever is earlier, shall be the date of acquisition or classification by the decedent;

(12) deeds to any corporation, trust or other entity, of land to be held in perpetuity for educational, scientific, aesthetic or other equivalent passive uses, provided such corporation, trust or other entity has received a determination from the Internal Revenue Service that contributions to it are deductible under applicable sections of the Internal Revenue Code;

(13) land subject to a covenant specifically set forth in the deed transferring title to such land, which covenant is enforceable by the town in which such land is located, to refrain from selling, transferring or developing such land in a manner inconsistent with its classification as farm land pursuant to section 12-107c, forest land pursuant to section 12-107d, as amended by PA 14-33, open space land pursuant to section 12-107e or maritime heritage land pursuant to section 12-107g, for a period of not less than eight years from the date of transfer, if such covenant is violated the conveyance tax set forth in this chapter shall be applicable at the rate multiplied by the market value as determined by the assessor which would have been applicable at the date the deed containing the covenant was delivered and, in addition, the town or any taxpayer therein may commence an action to enforce such covenant;

(14) land the development rights to which have been sold to the state under chapter 422a; and

(15) deeds to or from any limited liability company when the grantors or grantees are the same individuals as the principals or members of the limited liability company. If action is taken under subdivision (13) of this subsection by a taxpayer, such action shall commence prior to the ninth year following the date of the deed containing such covenant and the town shall be served as a necessary party.