

Bill No. 5007

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Referred to Committee on *Corrections, Welfare*  
*& Human Inst.*

LCO No. 147

Introduced by Rep. Frazier, 10th District

General Assembly,

January Session, A.D., 1971

## AN ACT REPEALING THE STATE WELFARE LIEN PROVISION.

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

Section 17-82c of the 1969 supplement to the general  
statutes is repealed and the following is substituted in lieu  
thereof: No person shall be deemed ineligible to receive an  
award under this chapter for himself or for any person for whose  
support he is liable by reason of having an interest in real  
property, maintained as his home, provided the equity in such  
property shall not exceed the limits established by the  
commissioner. [The commissioner may place a lien against any  
property to secure the claim of the state for all amounts which  
it has paid or may thereafter pay to him or in his behalf under  
the provisions of this chapter, except for property maintained as  
a home in aid to families of dependent children cases, in which  
case such lien shall secure the state only for that portion of  
the assistance grant awarded for amortization of a mortgage or  
other encumbrance beginning with the fifth month after the  
original grant for principal payment on any such encumbrance is  
made, and each succeeding month of such grant thereafter. The  
claim of the state shall be secured by filing a certificate in  
the land records of the town or towns in which any such real  
estate is situated, describing such real estate.] Any [such] lien  
IN EFFECT ON THE EFFECTIVE DATE OF THIS ACT AND SECURING AN

ASSISTANCE GRANT FOR PRINCIPAL PAYMENT FOR A PERIOD PRIOR TO 38  
 OCTOBER 1, 1971, SHALL REMAIN IN EFFECT AND may, at any time 39  
 during which the amount by it secured remains unpaid, be 40  
 foreclosed in an action brought in a court of competent 41  
 jurisdiction by the commissioner on behalf of the state. Any 43  
 real estate to which title has been taken by foreclosure under  
 this section, or which has been conveyed to the state in lieu of 44  
 foreclosure, may be sold, transferred or conveyed for the state 45  
 by the commissioner with the approval of the attorney general, 46  
 and the commissioner may, in the name of the state, execute deeds 47  
 for such purpose. Such lien shall be released by the 48  
 commissioner upon payment of the amount by it secured, or an 49  
 amount equal to the value of the beneficiary's interest in such 50  
 property if the value of such interest is less than the amount 51  
 secured by such lien, at his discretion, and with the advice and 52  
 consent of the attorney general, upon a compromise of the amount 53  
 due to the state. At the discretion of the commissioner the 54  
 beneficiary, or, in the case of husband and wife living together, 55  
 the survivor of them, so long as he or she lives, or a dependent 56  
 child or children, may be permitted to occupy such real property. 57

STATEMENT OF PURPOSE: To repeal the lien provisions in public 61  
 assistance, since owning property free and clear of liens is 62  
 important to the dignity and retention of independence of people, 63  
 and would be consistent with the goal of the Aid to Dependent 64  
 Children program to strengthen family life and have the 65  
 individual family more meaningfully participate in community 66  
 life.

[Proposed deletions are enclosed in brackets and proposed 68  
 additions are all capitalized, or underlined where appropriate.] 70