

**TABLE OF CONTENTS**

**Neighborhood Assistance Act**

Definitions . . . . .	12-638- 1
Deadlines . . . . .	12-638- 2
Agency overseeing implementation . . . . .	12-638- 3
Repealed . . . . .	12-638- 4
Proof of expenditures for charitable purposes. . . . .	12-638- 5
Person required to make expenditures; year in which credit must be claimed. . . . .	12-638- 6
Carrybacks . . . . .	12-638- 7
Post-project audit. . . . .	12-638- 8



## Neighborhood Assistance Act

### Sec. 12-638-1. Definitions

(a) “Program” means a program, the activity or activities of which are described under section 12-632, 12-634, 12-635 or 12-635a of the Connecticut General Statutes. A description of the program, which shall include a statement detailing its concept, its necessity, the estimated amount required to be invested, the suggested plan for implementation, the neighborhood area to be served, the program completion date, and the agency overseeing its implementation, shall be provided by completing form NAA-01. “Program” does not include any document which lacks such a description (or any element thereof) or any description that is provided other than on a completed form NAA-01.

(b) “Program list” means the list of programs which is filed by the legislative body of a municipality with the commissioner on or before July first of a program year and which includes certification by an agent of such legislative body that a prior public hearing was held on the subject of which programs were to be included on such list. Except as otherwise provided in subdivision (2) of subsection (a) of section 12-632 of the Connecticut General Statutes, “program list” does not include any program list which lacks such certification or which is filed with the commissioner after July first of a program year.

(c) “Published program list” means the list, which is categorized by municipality and estimated amount of tax credit involved and which is extracted from program lists, of programs published on or before September first of each program year by the commissioner.

(d) “Program proposal” means the proposal, which is mailed or hand-delivered to the commissioner on or after September fifteenth but no later than October first of a program year, of a business firm or firms wishing to engage in a program on the published program list. The program proposal shall be made by completing and signing form NAA-02. “Program proposal” does not include any program proposal which lacks such a statement (or any element thereof) or which is mailed or hand-delivered to the commissioner before September fifteenth or after October first of a program year.

(e) “Approved program proposal” means the program proposal which has been referred by the commissioner to the agency overseeing implementation of the program, which has been approved by such agency within thirty days of the date of referral by the commissioner to such agency, and which has been approved in writing by the commissioner. “Approved program proposal” does not include a program proposal which the agency overseeing implementation has disapproved or is deemed to have disapproved or which the commissioner has disapproved in writing.

(f) “Public hearing” means a public hearing conducted by the legislative body of a municipality (or a commission or agency thereof).

(g) “Commissioner” means the commissioner of revenue services.

(h) “Program year” means the calendar year during which program lists and program proposals are required to be filed with the commissioner.

(i) “Agency overseeing implementation” means the municipal agency designated by the legislative body of a municipality to oversee a program.

(j) “Department” means the Department of Revenue Services.

(Effective August 24, 1987; amended April 11, 2006)

**Sec. 12-638-2. Deadlines**

(a) Except as otherwise provided in subdivision (2) of subsection (a) of section 12-632 of the Connecticut General Statutes, the commissioner shall not grant an extension of time to any municipality for the filing of any program lists.

(b) The commissioner shall not grant an extension of time under subsection (c) of section 12-632 of the Connecticut General Statutes to any business firm for the filing of any program proposals or to any agency overseeing implementation for the filing of written approvals of referred program proposals.

(Effective October 12, 1983; amended April 11, 2006)

**Sec. 12-638-3. Agency overseeing implementation**

(a) Referral to an agency overseeing implementation under subsection (c) of section 12-632 of the Connecticut General Statutes shall be deemed to have occurred on the date on which the commissioner sends a program proposal to such agency.

(b) The approval or disapproval of a program proposal by an agency overseeing implementation must be in writing and be sent to the commissioner within thirty days of the date of referral. Failure of such agency to approve or disapprove a program proposal within thirty days of the date of referral shall be deemed a disapproval of the program proposal.

(Effective October 12, 1983; amended April 11, 2006)

**Sec. 12-638-4.**

Repealed, April 11, 2006

**Sec. 12-638-5. Proof of expenditures for charitable purposes**

The proof required under subsection (j) of section 12-632 of the Connecticut General Statutes shall be submitted to the commissioner, upon request. The proof shall consist of the tax return filed with the Internal Revenue Service for the income year next preceding the income year in which the tax credit is claimed and the tax return so filed for the income year in which the tax credit is claimed. Attached to such returns shall be the schedules which accompanied such returns.

(Effective August 24, 1987; amended April 11, 2006)

**Sec. 12-638-6. Person required to make expenditures; year in which credit must be claimed**

(a) The amount which is proposed to be expended by a business firm under an approved program proposal must be expended on such approved program proposal by such firm (and not by any other person). In the case of a business firm subject to the tax imposed under chapter 208 of the Connecticut General Statutes, the filing of a combined return in which such firm is included shall not operate to extinguish the requirement that such firm (and not the other companies included in such return) expend the amount proposed to be expended under its approved program proposal.

(b) Except as provided in subsection (h) of section 12-632 of the Connecticut General Statutes, the credit must be claimed on the tax return for such firm's income year during which such expenditure was made.

(Effective December 19, 1984; amended April 11, 2006)

**Sec. 12-638-7. Carrybacks**

The amount of tax credit allowed under section 12-632, 12-634, 12-635 or 12-635a of the Connecticut General Statutes which is not exhausted in the year in which such credit must be claimed under section 12-638-6 of the Regulations of

Connecticut State Agencies must be carried back to the two immediately preceding income years (beginning with the earliest of such years).

(Effective December 19, 1984; amended April 11, 2006)

**Sec. 12-638-8. Post-project audit**

(a) The post-project audit required by section 12-637a of the Connecticut General Statutes shall be prepared by a certified public accounting firm and shall be submitted to the agency overseeing implementation (as specified in the approved program proposal) within three months after the expiration of the period during which the investment under the approved program proposal was to have been made (as specified in the approved program proposal).

(b) The agency overseeing implementation shall, within one month after its receipt of the post-project audit, submit the audit, with certification by the agency that expenditures were made in accordance with the approved program proposal, to the commissioner.

(Effective August 24, 1987; amended April 11, 2006)