



General Assembly

Amendment

January Session, 2025

LCO No. 7678



Offered by:

SEN. MILLER P., 27th Dist.
REP. DOUCETTE, 13th Dist.
SEN. BERTHEL, 32nd Dist.
REP. DELNICKI, 14th Dist.

To: Senate Bill No. 1336

File No. 174

Cal. No. 139

**"AN ACT CONCERNING A STUDY RELATING TO BANKING
ISSUES."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective January 1, 2026*) (a) Notwithstanding any
4 provision of the general statutes, and except as otherwise provided in
5 subsections (b) and (c) of this section, an action to foreclose a mortgage
6 on residential real property, as defined in section 49-31k of the general
7 statutes, shall not be commenced following the earlier of:

8 (1) Ten years from the date fixed for the making of the last payment
9 or the maturity date set forth in the mortgage or the note, bond or other
10 obligation secured by the mortgage, whether the date is itself set forth
11 or may be calculated from information contained in the mortgage or
12 note, bond or other obligation, except if the date fixed for the making of

13 the last payment or the maturity date has been extended by a written
14 instrument, the action to foreclose shall not be commenced after ten
15 years from the extended date under the terms of the written instrument;
16 or

17 (2) Ten years from the date on which any payment on account by, or
18 on behalf of, the debtor last occurred.

19 (b) If any law, order or rule prohibits the commencement of a
20 foreclosure action at any time during the final two years of the
21 applicable time limit established in subsection (a) of this section, such
22 time limit shall be extended by a period of time equal to the duration of
23 the prohibition.

24 (c) The provisions of subsections (a) and (b) of this section shall not
25 apply to:

26 (1) Any mortgage that (A) was recorded before January 1, 2026, and
27 was first in priority at the time when such first mortgage was recorded,
28 including, but not limited to, any such first mortgage that was recorded
29 subsequent to a mortgage that has been satisfied but not yet released; or
30 (B) regardless of when such mortgage was recorded, was subordinate to
31 a first mortgage at the time when such subordinate mortgage was
32 recorded and is held by the original mortgagee, such original
33 mortgagee's subsidiary or affiliate or any successor of such original
34 mortgagee by merger or other acquisition; or

35 (2) Any action commenced under section 49-30 of the general statutes.

36 Sec. 2. Section 49-13a of the general statutes is repealed and the
37 following is substituted in lieu thereof (*Effective January 1, 2026*):

38 (a) When record title to real property remains encumbered by any
39 undischarged mortgage, and the mortgagor or those owning the
40 mortgagor's interest therein have been in undisturbed possession of the
41 property for at least [twenty] ten years after the expiration of the time
42 limited in the mortgage for the full performance of the conditions

43 thereof, or for at least forty years from the recording of the mortgage if
44 the mortgage does not disclose the time when the note or indebtedness
45 is payable or the time for full performance of the conditions of the
46 mortgage, unless a notice is recorded pursuant to subsection (b) of this
47 section, the mortgage shall be invalid as a further lien against the real
48 property, provided an affidavit, subscribed and sworn to by the party
49 in possession, stating the fact of such possession, is recorded on the land
50 records of the town in which the property is situated.

51 (b) The record holder of an undischarged mortgage on real property
52 may, prior to the expiration of the applicable time period specified in
53 subsection (a) of this section, record a notice, on the land records of the
54 town in which the property is situated, that contains: (1) The name or
55 names of the mortgagors; (2) the recording information for the mortgage
56 and any assignment of the mortgage; and (3) a statement of the reasons
57 why the mortgage is valid and effective. Upon the recording of such
58 notice in accordance with this subsection, the applicable time period
59 after which the mortgage shall be invalid as a further lien against the
60 real property as provided in subsection (a) of this section shall be tolled
61 for a period of ten years from the recording of such notice. Any such
62 notice shall be indexed in the grantor's index under the name or names
63 of the mortgagors and in the grantee's index under the name of the
64 record holder of the mortgage."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>January 1, 2026</i>	New section
Sec. 2	<i>January 1, 2026</i>	49-13a