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Cook
4/16/09

SENATE CS FOR CS FOR HOUSE BILL NO. 121(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES COGHILL, Kawasaki, Gara, Ramras, Kelly, Harris, Foster, Thomas, Lynn

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to and authorizing certain municipalities to provide a property tax**
2 **credit for an improvement that aids in improving air quality; and relating to an optional**
3 **exemption from municipal property taxes for certain college property."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 29.45 is amended by adding a new section to read:

6 **Sec. 29.45.048. Air quality improvement tax credit.** A municipality that
7 includes within its boundaries an area that fails to meet federal or state air quality
8 standards for fine particles that are less than or equal to 2.5 micrometers in diameter
9 may, by ordinance, provide for an air quality improvement tax credit to offset a
10 portion of the property taxes due on property that, during the immediately preceding
11 tax year, has been improved in a way that aids in improving the air quality in the
12 municipality. The municipality shall establish eligibility, conditions, and other criteria
13 for the credit in the ordinance adopted under this section.

14 * **Sec. 2.** AS 29.45.050(b) is amended to read:

1 (b) A municipality may by ordinance

2 (1) classify and exempt from taxation

3 (A) the property of an organization not organized for business
4 or profit-making purposes and used exclusively for community purposes if the
5 income derived from rental of that property does not exceed the actual cost to
6 the owner of the use by the renter;

7 (B) historic sites, buildings, and monuments;

8 (C) land of a nonprofit organization used for agricultural
9 purposes if rights to subdivide the land are conveyed to the state and the
10 conveyance includes a covenant restricting use of the land to agricultural
11 purposes only; rights conveyed to the state under this subparagraph may be
12 conveyed by the state only in accordance with AS 38.05.069(c);

13 (D) all or any portion of private ownership interests in property
14 that, based upon a written agreement with the University of Alaska, is used
15 exclusively for student housing for the University of Alaska; property may be
16 exempted from taxation under this subparagraph for no longer than 30 years
17 unless the exemption is specifically extended by ordinance adopted within the
18 six months before the expiration of that period;

19 **(E) property of a private, nonprofit four-year college or**
20 **university that is accredited by a regional or national accrediting agency**
21 **recognized by the Council for Higher Education Accreditation or the**
22 **United States Department of Education, or both, that is not subject to the**
23 **mandatory exemption described in AS 29.45.030(a)(3); however, a private**
24 **leasehold, contract, or other interest in the property is taxable to the**
25 **extent of the private interest;**

26 (2) classify as to type and exempt or partially exempt some or all types
27 of personal property from ad valorem taxes.

28 * **Sec. 3.** AS 29.45.048 is repealed on January 1, 2016.