

SENATE BILL NO. 267

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY SENATOR WILKEN

Introduced: 1/16/04

Referred: Community and Regional Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the exemption from taxation of real property used as the primary**
2 **residence of the widow or widower of a resident 65 years of age or older, and to tax**
3 **equivalency payments for the widow or widower of a resident 65 years of age or older."**

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

5 * **Section 1.** AS 29.45.030(e) is amended to read:

6 (e) The real property owned and occupied as the primary residence and
7 permanent place of abode by a (1) resident 65 years of age or older; (2) disabled
8 veteran; or (3) resident [AT LEAST 60 YEARS OLD] who is the widow or widower
9 of a person who qualified for an exemption under (1) or (2) of this subsection **and has**
10 **not remarried**, is exempt from taxation on the first \$150,000 of the assessed value of
11 the real property. A municipality may, in case of hardship, provide for exemption
12 beyond the first \$150,000 of assessed value in accordance with regulations of the
13 department. Only one exemption may be granted for the same property and, if two or
14 more persons are eligible for an exemption for the same property, the parties shall

1 decide between or among themselves who is to receive the benefit of the exemption.
 2 Real property may not be exempted under this subsection if the assessor determines,
 3 after notice and hearing to the parties, that the property was conveyed to the applicant
 4 primarily for the purpose of obtaining the exemption. The determination of the
 5 assessor may be appealed under AS 44.62.560 - 44.62.570.

6 * **Sec. 2.** AS 29.45.040(a) is amended to read:

7 (a) A resident of the state who rents a permanent place of abode is eligible for
 8 a tax equivalency payment from the state through the department if the resident is [:]

9 (1) [AT LEAST] 65 years **of age or older** [OLD];

10 (2) a disabled veteran; or

11 (3) [AT LEAST 60 YEARS OLD AND] the widow or widower of a
 12 person who was eligible for payment under (1) or (2) of this subsection **and has not**
 13 **remarried.**

14 * **Sec. 3.** AS 29.45.050(i) is amended to read:

15 (i) A municipality may by ordinance approved by the voters exempt from
 16 taxation the assessed value that exceeds \$150,000 of real property owned and
 17 occupied as a permanent place of abode by a resident who is

18 (1) 65 years of age or older;

19 (2) a disabled veteran, including a person who was disabled in the line
 20 of duty while serving in the Alaska Territorial Guard; or

21 (3) [AT LEAST 60 YEARS OLD AND] a widow or widower of a
 22 person who qualified for an exemption under (1) or (2) of this subsection **and has not**
 23 **remarried.**