

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 90
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES NEUMAN AND FEIGE, Lynn, Tuck

Introduced: 2/14/11

Referred: Community and Regional Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to municipal property tax exemptions on residences of certain seniors**
2 **and others; and providing for an effective date."**

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

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

5 (e) The real property owned and occupied as the primary residence and
6 permanent place of abode by a resident who is [(1)] 65 years of age or older, [; (2)] a
7 disabled veteran, [;] or [(3)] at least 60 years of age and the widow or widower of a
8 person who **was 65 years of age or older or a disabled veteran and who** qualified
9 for an exemption under [(1) OR (2) OF] this subsection is **(1)** exempt from taxation on
10 the first \$150,000 of the assessed value of the real property; **or (2), if the resident's**
11 **gross household income does not exceed 200 percent of the most recent federal**
12 **poverty guidelines for Alaska set by the United States Department of Health and**
13 **Human Services and revised under 42 U.S.C. 9902(2), exempt from taxation on**
14 **the first \$200,000 of the assessed value of the real property.** A municipality may by

1 ordinance approved by the voters grant **an** [THE] exemption under this subsection to **a**
 2 **person who is** [THE WIDOW OR WIDOWER] under 60 years of age **and the widow**
 3 **or widower** of a person who qualified for an exemption under [(2) OF] this
 4 subsection. A municipality may, in case of hardship, provide for **exemptions**
 5 [EXEMPTION] beyond **those provided under this subsection** [THE FIRST
 6 \$150,000 OF ASSESSED VALUE] in accordance with regulations of the department.
 7 Only one exemption may be granted for the same property, and, if two or more
 8 persons are eligible for an exemption for the same property, the parties shall decide
 9 between or among themselves who is to receive the benefit of the exemption. Real
 10 property may not be exempted under this subsection if the assessor determines, after
 11 notice and hearing to the parties, that the property was conveyed to the applicant
 12 primarily for the purpose of obtaining the exemption. The determination of the
 13 assessor may be appealed under AS 44.62.560 - 44.62.570.

14 * **Sec. 2.** 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

17 **(1)** \$150,000 of real property owned and occupied as a permanent
 18 place of abode by a resident who is

19 **(A)** [(1)] 65 years of age or older;

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

22 **(C)** [(3)] at least 60 years **of age** [OLD] and a widow or
 23 widower of a person who qualified for an exemption under **(A)** [(1)] or **(B)**
 24 [(2)] of this **paragraph; or**

25 **(2)** **\$200,000 of real property owned and occupied as a permanent**
 26 **place of abode by a resident whose gross household income does not exceed 200**
 27 **percent of the most recent federal poverty guidelines for Alaska set by the United**
 28 **States Department of Health and Human Services and revised under 42 U.S.C.**
 29 **9902(2) and who is qualified for an exemption under (1) of this** subsection.

30 * **Sec. 3.** This Act takes effect January 1, 2012.