

Original sponsor: Fischer

Offered: 4/9/71
Referred: Finance

1 IN THE HOUSE

BY THE LOCAL GOVERNMENT COMMITTEE

2 CS FOR HOUSE BILL NO. 296

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act exempting from city and borough taxation the
7 real property of certain residents having limited
8 incomes; and providing for an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 29.10.336(a) is amended to read:

11 (a) Property owned by the city or the state; the real property
12 of certain residents of the state to the extent and subject to the
13 conditions provided in (e) of this section; the household furniture of
14 the head of a family or a householder not exceeding \$500 in value;
15 all property used exclusively for nonprofit religious, charitable,
16 cemetery, hospital, or educational purposes; the property of an organi-
17 zation, not organized for business purposes, whose membership is
18 composed entirely of individuals with 90 days or more of active service
19 in the armed forces of the United States whose conditions of service
20 and separation were other than dishonorable, or the property of the
21 auxiliary of any such organization; and all money on deposit are exempt
22 from taxation.

23 * Sec. 2. AS 29.10.336 is amended by adding new subsections to read:

24 (e) The real property owned and occupied as a permanent place
25 of abode by a resident 65 years of age or over whose gross annual
26 income totals less than \$10,000 is exempt from taxation of the assessed
27 value of the real property. Only one exemption may be granted with
28 respect to the same property and, if two or more persons are eligible
29 for an exemption with respect to the same property, the parties shall

1 decide between or among themselves which shall receive the benefit of
2 the exemption; however, in the case of more than one party eligible
3 for an exemption with respect to the same property, the total combined
4 gross annual income of the parties may not exceed \$10,000. No real
5 property may be exempted under this subsection which the assessor
6 determines, after notice and hearing to the parties concerned, has
7 been conveyed to the applicant primarily for the purpose of obtaining
8 the exemption. The determination of the assessor is appealable under
9 AS 44.62.560 - 44.62.570.

10 (f) No exemption may be granted except upon written application
11 for the exemption upon a form prescribed by the state assessor for
12 use by local assessors. The claimant must file the application no
13 later than January 15 of the assessment year for which the exemption
14 is sought and must file a separate application for each assessment
15 year in which the exemption is sought. If an application is filed
16 within the required time and is approved by the assessor, he shall
17 allow an exemption in accordance with the provisions of this section.
18 The assessor may at any time require proof in the form he considers
19 necessary of the right and amount of an exemption claimed under this
20 section, and in that respect may as one form of proof require authori-
21 zation from the taxpayer to verify gross income level by reference
22 to gross income shown in the latest state income tax return available
23 for all or part of the assessment year for which an exemption is
24 sought.

25 (g) The state shall reimburse a borough or city, as appropriate,
26 for the real property tax revenues lost to it by the operation of (e)
27 of this section.

28 * Sec. 3. AS 07.12.200 is amended to read:

29 Sec. 07.12.200. LIMIT ON HOME RULE TAXING POWER. (a) AS 29.30.200

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relating to the collection of penalties on property taxes and interest on property and sales taxes, applies to home rule boroughs.

(b) AS 29.10.336(e) - (f), which limit home rule taxing power, apply to home rule boroughs.

* Sec. 4. This Act takes effect January 1, 1972.