

Introduced: 3/29/74
Referred: Community &
Regional Affairs

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 HOUSE BILL NO. 827

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing farm use and undeveloped land
7 property tax assessment."

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

9 * Section 1. AS 29.53.035 is repealed and re-enacted to read:

10 Sec. 29.53.035. FARM USE AND UNDEVELOPED LAND. (a) A person
11 owning farm use land, or a parcel or tract of undeveloped land exceeding
12 two and one-half acres in total area, may apply for assessment under
13 this section.

14 (b) Farm use lands shall be assessed on the basis of full and
15 true value for farm use, and shall not be assessed as if subdivided
16 or used for some other nonfarm purpose. The assessor shall maintain
17 separate assessment records evaluating the farm use land for other than
18 farm use purposes, where applicable. If the farm use land is sold,
19 leased, or otherwise disposed of, for other than farm use purposes,
20 the owner is liable to pay the additional tax for the preceding 10 years,
21 and the applicable portion of the current tax year, as though the land
22 had not been assessed for farm use purposes.

23 (c) Undeveloped land shall be assessed on the basis of its full
24 and true value as undeveloped land or for the purpose for which it is
25 actually being used, and shall not be assessed as if subdivided or used
26 for some other purpose. The assessor shall maintain separate assessment
27 records evaluating undeveloped land for other purposes, if applicable.
28 When the land is developed, the owner at the time it is developed is
29 liable to pay the additional tax for the preceding 10 years, plus

1 interest, and the applicable portion of the current year, as though
2 the land had not been assessed under this section.

3 (d) To secure the assessment under this section, an owner of
4 farm use or undeveloped land must make application to the assessor
5 before February 1 of each year in which the assessment is desired.
6 The application shall be made upon forms prepared and supplied by the
7 assessor and shall include information which may reasonably be required
8 to determine the entitlement of the applicant.

9 (e) In this section:

10 (1) "farm use" means the use of land for raising and
11 harvesting crops or for the feeding, breeding and management of live-
12 stock or for dairying or another agricultural use or any combination of
13 these uses and includes the preparation of the products raised on the
14 farm use land and disposal by marketing or otherwise; and includes the
15 construction and use of dwellings and other buildings customarily pro-
16 vided in conjunction with the farm use; to be farm use land, the owner
17 must be actively engaged in farming the land;

18 (2) "undeveloped land" means land which has remained
19 substantially unchanged in character from its natural state as evidenced
20 by a lack of industrial or economic use, construction, or other utiliza-
21 tion; however, inconsequential personal uses incidental to the ownership
22 of the land are not considered land development under this section;
23 use of the land for not more than one single-family residence shall not
24 be considered development for the purposes of this section.
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