HOUSE BILL No. 1319

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-4-13.

Synopsis: Assessment of forest land for taxation purposes. Provides that land that has a forest canopy covering at least 50% of the area of the land and that was assessed as agricultural land for the March 1, 2005, assessment date is considered to be devoted to agricultural use and shall be assessed as agricultural land for taxation purposes unless: (1) the land is rezoned; (2) the land is divided into two or more parcels; (3) the ownership of the land is conveyed or transferred; or (4) there is a substantial change in the use of the land.

Effective: March 1, 2007 (retroactive).

Grubb, Pierce, Blanton, Battles

January 15, 2008, read first time and referred to Committee on Agriculture and Rural Development.

C o p y

Introduced

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

C o p y

HOUSE BILL No. 1319

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 6-1.1-4-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MARCH 1, 2007 (RETROACTIVE)]: Sec. 13. (a) In assessing or reassessing land, the land shall be assessed as agricultural land only when it is devoted to agricultural use.

(b) The department of local government finance shall give written notice to each county assessor of:

(1) the availability of the United States Department of Agriculture's soil survey data; and

(2) the appropriate soil productivity factor for each type or classification of soil shown on the United States Department of Agriculture's soil survey map.

All assessing officials and the property tax assessment board of appeals shall use the data in determining the true tax value of agricultural land.

(c) The department of local government finance shall by rule provide for the method for determining the true tax value of each parcel of agricultural land.

(d) This section does not apply to land purchased for industrial,

commercial, or residential uses.

(e) For purposes of this section and for purposes of assessment under this article, land that has a forest canopy covering at least fifty percent (50%) of the area of the land and that was assessed as agricultural land for the March 1, 2005, assessment date is considered to be devoted to agricultural use and shall be assessed as agricultural land for the March 1, 2007, assessment date and for subsequent assessment dates, unless:

(1) the land is rezoned;

(2) the land is divided into two (2) or more parcels;

(3) the ownership of the land:

(A) is conveyed after January 1, 2008, to another person, in the case of land that is not owned by an individual; or

(B) is conveyed after January 1, 2008, to a person other than a relative of the owner, in the case of land that is owned by an individual; or

(4) there is a substantial change (as determined by the department of local government finance) in the use of the land.

SECTION 2. [EFFECTIVE MARCH 1, 2007 (RETROACTIVE)] **IC 6-1.1-4-13, as amended by this act, applies to assessment dates after February 28, 2007.**

SECTION 3. **An emergency is declared for this act.**

C o p y