

HOUSE BILL 520

IN THE HOUSE

February 2, 1979

Introduced and referred to  
Committee on Taxation.

1 HOUSE BILL NO. 520  
2 INTRODUCED BY Kenneth Ellis Skelton

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
5 76-6-208, MCA, TO PROVIDE THAT THE PROPERTY TAX ASSESSMENT  
6 OF PROPERTY SUBJECT TO A CONSERVATION EASEMENT MUST REFLECT  
7 ANY CHANGE IN THE FAIR MARKET VALUE OF THE PROPERTY  
8 RESULTING FROM THE INTEREST HELD BY A PUBLIC BODY OR PRIVATE  
9 ORGANIZATION."

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 76-6-208, MCA, is amended to read:

13 "76-6-208. Taxation of property subject to  
14 conservation easement. (1) Assessments made for taxation on  
15 property subject to a conservation easement either in  
16 perpetuity or for a term of years, where a public body or a  
17 qualifying private organization holds the conservation  
18 easement, shall be determined on the basis of the restricted  
19 purposes for which the property may be used and shall  
20 reflect any change in the fair market value of the property  
21 that may result from the interest held by the public body or  
22 private organization. ~~The minimum assessed value for land~~  
23 subject to an easement conveyed under this chapter may not  
24 be less than the actual assessed value of such land in  
25 calendar year 1973. Any land subject to such easement may

1 not be classified into a class affording a lesser assessed  
2 valuation solely by reason of the creation of the easement.  
3 The value of the interest held by a public body or  
4 qualifying private organization shall be exempt from  
5 property taxation.

6 (2) Expiration of an easement granted for a term of  
7 years shall not result in a reassessment of the land for  
8 property tax purposes if the easement is renewed and the  
9 granting instrument reflecting the renewed easement is  
10 executed and properly filed not later than 15 days after the  
11 date of expiration."

-End-

-2- HB 520  
INTRODUCED BILL

STATE OF MONTANA

REQUEST NO. 230-79

FISCAL NOTE

Form BD-15

In compliance with a written request received February 5, 19 79, there is hereby submitted a Fiscal Note for House Bill 520 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION

This proposed bill amends section 76-6-208, MCA, to provide that the property tax assessment of property subject to a conservation easement must reflect any change in the fair market value of the property resulting from the interest held by a public body or private organization.

FISCAL IMPACT

No fiscal impact.

EFFECT ON LOCAL GOVERNMENT

There are currently three conservation easements in Montana. The change in this proposal will have minimal, if any, impact on local government revenues.

(Prepared by the Department of Revenue)

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BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2/18/79