

## SENATE BILL NO. 28

INTRODUCED BY AKLESTAD

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE COMPUTATION OF THE STATE LAND EQUALIZATION PAYMENT TO FULLY REIMBURSE COUNTIES FOR LOST TAXES BECAUSE OF STATE LANDS WITHIN THE COUNTIES; AMENDING SECTION 77-1-502, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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

**Section 1.** Section 77-1-502, MCA, is amended to read:

**"77-1-502. Computation of state land equalization payment.** (1) The department of revenue shall compute the amount of taxes ~~which that~~ would be payable on the county assessments of ~~said property~~ state land as if it were owned by and taxable to a taxpayer of ~~each~~ the county in which the land is located.

(2) If the land is not classified, the ~~sum to be listed shall~~ amount must be determined by the average tax payment made on ~~like~~ similar property within the county where ~~said the~~ land is ~~situated, not~~ located, ~~to exceed 12 cents per grazing acre, 35 cents per agricultural acre, and 12 cents per forest acre~~ located. The average tax may be derived from the most recent biennial report of the department of revenue. The total figure arrived at ~~by this method shall be called the gross assessment figure.~~

~~(3) The county exemption factor shall be determined by dividing the percentage the state-owned land bears to the total land area of the county into 6%. This quotient shall be multiplied by the gross assessment figure, and the product is called the state exemption figure.~~

~~(4) The state exemption figure shall be subtracted from the gross assessment to give~~ is the state land equalization payment."

**NEW SECTION. Section 2. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to the tax year commencing January 1, 1995.

**NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

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