

1 SENATE BILL NO. 28

2 INTRODUCED BY AKLESTAD

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

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

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

12 **"77-1-502. Computation of state land equalization payment.** (1) The department of revenue shall
13 compute the amount of taxes ~~which that~~ would be payable on the county assessments of ~~said property~~
14 ~~state land~~ as if it were owned by and taxable to a taxpayer of ~~such the county in which the land is located~~.

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

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

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

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

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

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