

HOUSE BILL NO. 195

INTRODUCED BY P. INGRAHAM

A BILL FOR AN ACT ENTITLED: "AN ACT CLASSIFYING CERTAIN PARCELS OF GROWING TIMBER AS CLASS TEN PROPERTY FOR PROPERTY TAX PURPOSES; AND AMENDING SECTION 15-6-143, MCA."

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

Section 1. Section 15-6-143, MCA, is amended to read:

"15-6-143. Class ten property -- description -- taxable percentage. (1) Class ten property includes all forest lands, as defined in 15-44-102, and property described in subsection (2).

(2) Contiguous parcels of growing timber totaling less than 15 acres qualify as class ten property if the following conditions are met:

- ~~(a) the parcel or parcels previously qualified as forest land;~~
 - ~~(b) a portion of the parcel or parcels was taken or given without compensation or sold for a public use, as described in 70-30-102, to the federal government, the state, or a municipality and that action reduced the number of acres in the parcel or parcels to less than 15 acres; and~~
 - ~~(c) since the reduction in acreage occurred, the parcel or parcels have not been further divided or devoted to a residential, commercial, or industrial use and there are no covenants or other restrictions that effectively prohibit use of the property as forest land.~~
- IN A PRIOR YEAR, THE PARCELS TOTALED 15 ACRES OR MORE AND QUALIFIED AS FOREST LAND BUT THE NUMBER OF ACRES WAS REDUCED TO LESS THAN 15 ACRES FOR A PUBLIC USE DESCRIBED IN 70-30-102 BY THE FEDERAL GOVERNMENT, THE STATE, A COUNTY, OR A MUNICIPALITY, AND SINCE THAT REDUCTION IN ACRES, THE PARCELS HAVE NOT BEEN FURTHER DIVIDED.

(2)(3) Class ten property is taxed at:

- (a) for tax year 2009, 0.34% of its forest productivity value;
- (b) for tax year 2010, 0.33% of its forest productivity value;
- (c) for tax year 2011, 0.32% of its forest productivity value;
- (d) for tax year 2012, 0.31% of its forest productivity value;
- (e) for tax year 2013, 0.3% of its forest productivity value; and
- (f) for tax years after 2013, 0.29% of its forest productivity value."

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