

March 21, 2007

**S 1203. PRESENT-USE VALUE CHANGES.** Filed 3/21/07. *TO PROVIDE PROPERTY TAX RELIEF FOR QUALIFYING WILDLIFE CONSERVATION LAND, TO REDUCE THE ACREAGE REQUIREMENT FOR AGRICULTURAL LAND, AND TO CLARIFY THE PRESENT-USE VALUATION OF PROPERTY SUBJECT TO A CONSERVATION EASEMENT.*

Enacts new GS 105-277.14 providing a property tax benefit for wildlife conservation land of at least 10 acres managed under a written plan certified by the Wildlife Resources Commission. To qualify, the land must meet specified conditions relating to wildlife and the owner must file a timely application. The property tax benefit is taxation at the value the land would have if it were forestland or agricultural land. The difference between the taxes based on this value and the taxes based on the land's true value are a lien on the land and are carried forward as deferred taxes. Three years of deferred taxes become due with interest when the land fails to qualify as wildlife conservation land unless it qualifies as forestland. The deferred taxes do not have to be paid, however, if the property (1) is donated to a nonprofit and qualifies for property tax exclusion as a protected natural area or as historic preservation property or (2) is donated to NC, a NC local government, or the federal government. The statute provides for appeals from decisions of the appraiser regarding qualification of land as wildlife conservation land and appraisal of wildlife conservation land.

Amends GS 105-277.3 to (1) reduce the minimum size of use-value agricultural land from ten to five acres and (2) limit the exception that allows land under a conservation easement to continue to receive use-value treatment even if it does not meet the income requirements, by disallowing the exception if the taxpayer received 50% or more of the fair market value of the property in exchange for donating the conservation easement.

Effective beginning with the 2007-08 property tax year.

**Intro. by Nesbitt.**

GS 105