



General Assembly

February Session, 2006

Raised Bill No. 546

LCO No. 2402

02402_____PD_

Referred to Committee on Planning and Development

Introduced by:

(PD)

**AN ACT AUTHORIZING MUNICIPALITIES TO ABATE TAXES ON
OPEN SPACE LAND.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2006, and applicable to assessment*
2 *years commencing on or after October 1, 2006*) (a) As used in this section:

3 (1) "Municipality" means any city, town, borough, district or
4 association with municipal powers; and

5 (2) "Open space land" means any area of land, including forest land,
6 the preservation or restriction of the use of which would (A) maintain
7 and enhance the conservation of natural or scenic resources, (B) protect
8 natural streams or water supply, (C) promote conservation of soils,
9 wetlands, beaches or tidal marshes, (D) enhance the value to the public
10 of abutting or neighboring parks, forests, wildlife preserves, nature
11 reservations or sanctuaries or other open spaces, (E) enhance public
12 recreation opportunities, (F) preserve historic sites, or (G) promote
13 orderly urban or suburban development.

14 (b) Any municipality may, by ordinance adopted by its legislative

15 body, establish a program under which property taxes may be abated
16 in exchange for the transfer to the municipality of development rights,
17 conservation easements, rights-of-way or any combination thereof, to
18 open space land. Such ordinance shall include, but not be limited to,
19 provisions for requirements for application for the abatement, which
20 shall include a certified appraisal of the property proposed for
21 abatement both with and without development rights.

22 (c) The abatement shall be equal to the value of the open space land,
23 prorated for a period of not more than ten years. If the property is sold
24 to the municipality, the abatement may be applied to any other taxable
25 property in the municipality owned by the applicant.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006, and applicable to assessment years commencing on or after October 1, 2006</i>	New section

Statement of Purpose:

To enable municipalities to provide property tax abatement for the transfer of land or interests therein for use as open space.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]