

An Act

HOUSE BILL 26-033

BY SENATOR(S) Javier Chavez, Jeff Zamora
also REPRESENTATIVE(S) Noah Moore, Julia Willis

CONCERNING THE CLASSIFICATION AND TAXATION OF
AGRICULTURAL PROPERTY, AND, IN CONNECTION
THEREWITH, PROVIDING PROPERTY TAX RELIEF AND A
HOMESTEAD EXEMPTION FOR QUALIFYING
AGRICULTURAL PROPERTIES.

*Be it Enacted by the General Assembly of the State of San
Andreas:*

In the San Andreas Revised Statutes, **ADD** section 39-37-202 as
follows:

SECTION 1. SHORT TITLE. This Act shall be known and
may be cited as the “Agricultural Property Tax Relief Act.”

SECTION 2. LEGISLATIVE DECLARATION. The
General Assembly hereby finds and declares that: (a) Agricultural
land is essential to the economic stability and food security of the
State of San Andreas; (b) Rising property tax burdens threaten the
continued viability of family farms, ranches, and small-scale
agricultural operations; (c) It is in the public interest to preserve
agricultural land by providing targeted property tax relief; and (d)
A homestead-style exemption for agricultural producers will

promote long-term land stewardship and prevent unnecessary conversion of agricultural land to non-agricultural uses.

SECTION 3. DEFINITIONS. For purposes of this Act, unless the context otherwise requires: (a) “Agricultural property” means real property that is actively used for the production of crops, livestock, or other agricultural products for commercial purposes, and that such use constitutes the primary use of the property. (b) “Qualified agricultural owner” means an individual or entity that: (I) Owns and operates agricultural property; and (II) Derives at least twenty percent of gross revenue from the sale of agricultural products or the lease of water rights for agricultural use conducted on such property; (III) shall not include any corporation whose stock is publicly traded on a national exchange or any entity controlled by a non-resident alien or foreign principal. (c) “Primary agricultural residence” means a dwelling located on agricultural property that is occupied by a qualified agricultural owner as their primary residence. (d) “Assessed value” means the value assigned to property for property tax purposes under state law.

SECTION 4. AGRICULTURAL PROPERTY TAX CLASSIFICATION. (a) Agricultural property shall be classified as a distinct property class for taxation purposes. (b) The assessment rate for agricultural property shall be frozen at 5.0 percent of its actual value for family-owned operations. (c) Agricultural property shall be valued based on its productive agricultural use value, rather than its highest and best market value. (d) Corporate Conversion Penalty. Conversion of agricultural property to commercial or industrial use by a corporate entity rather than an individual shall trigger an immediate assessment at triple the highest market value. (e) Drought Hardship Waiver. The Department of Revenue shall establish a procedure whereby a qualified agricultural owner may maintain their classification during a year of declared drought or natural disaster notwithstanding a failure to meet the minimum income requirements established in Section 6.

SECTION 5. AGRICULTURAL HOMESTEAD

EXEMPTION. (a) A qualified agricultural owner may claim a homestead exemption on their primary agricultural residence. (b) The exemption shall: (I) Exclude the first \$65,000 of assessed value of the primary agricultural residence from taxation; or (II) Reduce the taxable value of such residence by 35 percent, whichever provides greater benefit. (c) The exemption shall apply only to one primary agricultural residence per qualified agricultural owner. (d) The exemption shall not apply to secondary residences, rental properties, or non-agricultural structures.

SECTION 6. ELIGIBILITY REQUIREMENTS. (a) To qualify for benefits under this Act, property must: (I) consist of no fewer than 80 contiguous acres, except that: specialty agriculture (orchards, vineyards, greenhouses, apiaries, or intensive farming operations) may qualify with a minimum of 5 acres; (II) Demonstrate active agricultural use for at least 3 consecutive years immediately preceding application; and (III) generate a minimum of \$500 in annual gross agricultural income, it being the intent of the general assembly to protect subsistence and hobby farming operations from urban tax expansion. (b) The department of revenue shall require the annual submission of federal schedule F tax forms to verify compliance with income requirements; failure to submit such forms constitutes requisite ground for immediate revocation of classification.

SECTION 7. APPLICATION AND VERIFICATION. (a) Property owners must apply on or before April 15 of each tax year for classification and exemption under this Act. (b) Applications shall include: (I) Proof of agricultural activity; (II) Income documentation, if required; and (III) Certification of primary residence status. (c) County assessors shall review applications and may conduct audits or inspections to verify eligibility.

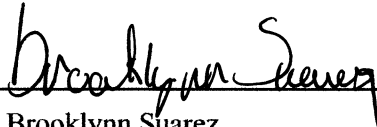
SECTION 8. ABSOLUTE RECAPTURE. (a) if property receiving benefits under this act is converted to non-agricultural use within twenty years of receiving such benefits, the owner shall


be liable for all back-taxes saved under this act plus a preventative land-conversion surcharge of twenty-five percent of the sale price.

SECTION 9. RULEMAKING AUTHORITY. The department of revenue, in consultation with the department of agriculture, is authorized to promulgate rules necessary to implement and administer this Act.


SECTION 10. SEVERABILITY. If any provision of this Act is held invalid, such invalidity shall not affect other provisions of the Act.

SECTION 11. EFFECTIVE DATE. Act subject to petition – effective date. This act takes effect on August 18, 2026, assuming the general assembly adjourns sine die on May 18, 2026; except that, if a veto petition is filed pursuant to Article II, Section 15 of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

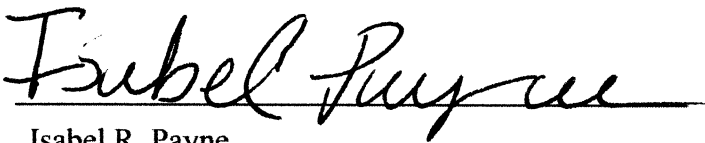

Brooklynn Suarez
SPEAKER OF THE HOUSE OF
REPRESENTATIVES


Benjamin Harrison
PRESIDENT OF THE
SENATE


Gabriella Spears
CLERK OF THE HOUSE OF
REPRESENTATIVES


Estella Newman
SECRETARY OF THE
SENATE

APPROVED: Friday, May 29th, 2020 2:51 P.m.
(Date and Time)


Isabel R. Payne
GOVERNOR OF THE STATE OF SAN
ANDREAS