

FARM USE ASSESSMENT APPLICATION

AS 29.45.060

Application must be filed before May 15 of the assessment year. Complete a separate form for each parcel contained within the farm unit.

Municipality		Account Number	
Name of Owner		Name of Lessee	
Mailing Address		Mailing Address	
City, State & Zip Code		City, State & Zip Code	
Telephone Number	Social Security No. (not mandatory)	Telephone Number	Social Security No. (not mandatory)
Parcel Number	City or Service Area	Ownership Verified: (Assessor or Clerk)	
Legal Description of Parcel:		<input type="checkbox"/> Owner of record <input type="checkbox"/> Land Leased (copy of lease attached)	
Farm Buildings _____ Small Grains _____ Hay-Ensilage _____ Rotation Pasture _____ Residence _____ Row Crops _____ Uncleared _____ Permanent Grazing _____			Total Acreage _____
I hereby make application for Farm Use Assessment on the above described property for assessment year 20 ____. I am actively engaged in farming the land and declare that my gross income attributable to the farm use land for the year(s) indicated I _____% of my yearly gross income.		I hereby submit information to supplement and support the owner application of Farm Use Assessment year 20 ____. I am actively engaged in farming the land and declare that my gross income attributable to the farm use land for the year(s) indicated is _____% of my yearly gross income.	
INCOME VERIFICATION (INCOME % MUST BE SHOWN ABOVE)			
<input type="checkbox"/> Last Year's Income <input type="checkbox"/> Past Three Years (In the event of a crop failure by an act of God the previous year. <input type="checkbox"/> Estimated income this year. Notarized statement will be filed with the local assessor or the State Assessor's Office prior to February 1, next year. (No history of farm related income).			
<input type="checkbox"/> Income Verification documents submitted to local assessor Or Copy of Federal Income Tax Return filed with the State Assessor's Office, 550 W. 7 th Ave., Suite 1770, Anchorage, AK 99501-2341			
I the undersigned, hereby certify that I have read this application and the answers given are true and correct to the best of my knowledge. I understand that a willful misstatement is subject to punishment by fine or imprisonment under AS 11.56.210. In the event that the land is converted to a use incompatible with farm use, the owner shall be liable for the amount of tax deferred plus interest for the preceding seven years in accordance with AS 29.45.060(a). (Statutory citation on reverse side of form.)			
Signature of Owner		Date	
I, the undersigned, hereby certify that I have read this application and the answers given are true and correct to the best of my knowledge. I understand that willful misstatement is subject to punishment by fine or imprisonment under AS 11.56.210.			
Signature of Lessee		Date	

THIS SPACE FOR LOCAL ASSESSOR'S USE ONLY

Property	Full Value	Farm Value	Deferred	
Land				<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/> Not dedicated or being used for non-farm purposes.
Buildings			NONE	
TOTAL				
Mill Rate				Verified By: _____
AMOUNT OF TAX				Income Verified By: _____

ALASKA STATUTES TITLE 29, MUNICIPAL GOVERNMENT CHAPTER 45, MUNICIPAL TAXATION:

Sec. 29.45.060. FARM OR AGRICULTURAL LAND. (a) Farm use land included in a farm unit and not dedicated or being used for nonfarm purposes shall be assessed on the basis of full and true value for farm use and may not be assessed as if subdivided or used for some other nonfarm purpose. The assessor shall maintain records valuing the land for both full and true value and farm use value. If the land is sold, leased, or otherwise disposed of for uses incompatible with farm use or converted to a use incompatible with farm use by the owner, the owner is liable to pay an amount equal to the additional tax at the current mill levy together with eight percent interest for the preceding seven years, as though the land had not been assessed for farm use purposes. Payment by the owner shall be made to the state to the extent of its reimbursement for revenue loss under (d) of this section for the preceding seven years. The balance of the payment shall be made to the municipality.

(b) An owner of farm use land shall, to secure the assessment under this section, apply to the assessor before May 15 of each year in which the assessment is desired. The application shall be made upon forms prescribed by the state assessor for the use of the local assessor, and shall include information that may reasonably be required to determine the entitlement of the applicant. If the land is leased for farm use purposes, the applicant shall furnish to the assessor a copy of the lease bearing the signatures of both lessee and lessor along with the completed application. The applicant shall furnish the assessor a copy of the lease covering the period for which the exemption is requested.

(c) In the event of a crop failure by an act of God the previous year, the owner or lessee may submit an affidavit affirming that 10 percent of gross income for the past three years was from farming.

(d) Subject to legislative appropriations for the purpose, the state shall reimburse a borough or city, as appropriate, for the property tax revenues lost to it by the operation of this section.

(e) In this section "farm use" means the use of land for profit for raising and harvesting crops, for the feeding, breeding, and management of livestock, for dairying, or another agricultural use, or any combination of these. To be farm use land, the owner or lessee must be actively engaged in farming the land, and derive at least 10 percent of yearly gross income from the land. This section does not apply to land for which the owner has granted, and has outstanding, a lease or option to buy the surface rights. A property owner wishing to file for farm use classification having no history of farm-related income may submit a declaration of intent at the time of filing the application with the assessor setting out the intended use of the land and the anticipated percentage of income. An applicant using this procedure shall file with the assessor before February 1 of the following year a notarized statement of the percentage of gross income attributable to the land. Failure to make the filing required in this subsection forfeits the exemption. History - (sec. 12 ch 74 SLA 1985)

ALASKA ADMINISTRATIVE CODE TITLE 19, DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS, CHAPTER 38, FARM OR AGRICULTURAL LANDS

3 AAC 138.010 FORMS. (a) The Department of Community and Economic Development Form 21.410 and Form 21-411 are adopted for use in application for the farm and agricultural land use assessment and tax deferral program.

(b) Application and authorization forms shall be made available by and shall be returned to the clerk or assessor of the municipality in which the land for which the farm use assessment and tax deferral are sought is located. History - Eff. 12/31/75, Register 56

3 AAC 138.020 INCOME VERIFICATION. (a) In addition to the application prescribed in 3 AAC 138.010, an applicant must establish before May 15 of the assessment year that the gross income attributed to farm-use land is at least 10 percent of the applicant's yearly gross income, by either

(1) providing the clerk or assessor of the municipality proof of income eligibility as shown by income tax returns or other reasonably documented information which is determined by the local assessor to be sufficient proof of eligibility; or

(2) providing the department with copies of signed federal income tax returns submitted to the Internal Revenue Service for the previous year.

(b) Failure to provide documentation as required by this section forfeits the claim for reimbursement for that assessment year. History - Eff. 11/24/82, Register 84

3 AAC 138.030 APPEAL. An applicant for the farm use assessment and tax deferral who believes that the valuation or classification assigned to the land that is the subject of the application is erroneous may appeal to the board of equalization of the municipality in which the land is located in the manner provided by AS 29.53.130*. The municipality shall report the disposition of all such appeals to the state assessor. History - Eff. 12/31/75, Register 56

3 AAC 138.040 MAINTENANCE OF RECORDS; DUPLICATE COPIES. The municipality in which the land is located shall maintain separate files and records of all applications for the farm use assessment and tax deferral, whether allowed by the municipality or not, including valuation of the property under the full and true value standard of AS 29.53.060*. Duplicate copies of all records relating to the application entered in the file shall be forwarded to the state assessor. The municipality shall investigate to determine whether title to land for which the assessment and deferral have been granted has been conveyed or alienated in such a way that the assessment or deferral may be terminated and shall advise the state assessor as to the results of its investigation. History - Eff. 12/31/75, Register 56

3 AAC 138.050 CONFIDENTIALITY. Tax records and other documents providing evidence of the applicant's eligibility for the farm use assessment and tax deferral are confidential and shall be used only for the purpose of ascertaining whether the applicant is entitled to the benefits of the assessment and deferral. History - Eff. 12/31/75, Register 56

3 AAC 138.060 DEFINITIONS. In this chapter

(1) "farm use assessment" means the value of the unit or parcel of property for which application for a farm use assessment and tax deferral is made, based upon its highest and best use as farm or agricultural land;

(2) "yearly gross income" means the income of the applicant for the year preceding the tax year for which the application is filed and means the adjusted gross income of the applicant as defined in Section 62 of the Internal Revenue Code (26 U.S.C. 62). History - Eff. 12/31/75, Register 56

*AS 29.53 was repealed in 1985. The appeal process is currently located at AS 29.45.190.