

405.1 Housing development — tax status — limitation.

1. *a.* The board of supervisors of a county may adopt an ordinance providing that property acquired and subdivided for development of housing on or after January 1, 2011, shall continue to be assessed for taxation in the manner that it was prior to the acquisition for housing. Each lot shall continue to be taxed in the manner it was prior to its acquisition for housing until the lot is sold for construction or occupancy of housing or five years from the date of subdivision, whichever is shorter. Upon the sale or the expiration of the five-year period, the property shall be assessed for taxation as residential or commercial multifamily property, whichever is applicable.

b. Ordinances adopted under [this section](#), to the extent such ordinances affect the assessment of property subdivided for development of housing on or after January 1, 2004, but before January 1, 2011, shall remain in effect or otherwise be made effective and such ordinances adopted under [section 405.1, subsection 1](#), Code 2011, shall be extended to apply the ordinances to the period of time ending ten years from the date of subdivision, and ordinances adopted under [section 405.1, subsection 2](#), Code 2011, shall be extended to apply the ordinances to the period of time ending eight years from the date of subdivision.

2. On or after July 27, 2011, the board of supervisors of a county may amend an ordinance adopted or otherwise made effective under [subsection 1](#) to extend the period of time established under [subsection 1](#) to apply the ordinance to a period of time not to exceed five years beyond the end of the period of time established under [subsection 1](#). An extension of an ordinance under [this subsection](#) may apply to all or a portion of the property that was subject to the original ordinance.

3. A city council may adopt an ordinance affecting that portion of the applicable property located within the incorporated area of the city, effectuating an extension of a county ordinance otherwise eligible to be extended under [subsection 2](#) and not previously extended by the board of supervisors. An ordinance by a city council providing for an extension under this subsection shall be subject to the limitations of [subsection 2](#).

[96 Acts, ch 1204, §37; 2011 Acts, ch 131, §154, 157](#)

2011 amendments to this section take effect July 27, 2011, and apply to assessment years beginning on or after January 1, 2012; amendments do not require refund or modification of property taxes attributable to, or the adjustment of property assessments for, assessments years beginning before January 1, 2012; 2011 Acts, ch 131, §156, 157