

House File 2672

H-8254

1 Amend House File 2672 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 427C.12, Code 2024, is amended to read
5 as follows:

6 **427C.12 Application — inspection — continuation of
7 exemption — recapture of tax.**

8 It shall be the duty of the assessor or the county
9 conservation board to secure the facts relative to fruit-tree
10 and forest reservations by taking the sworn statement,
11 or affirmation, of the owner or owners making application
12 under [this chapter](#); to make an inspection of each forest
13 and fruit-tree reservation once every three calendar years
14 to confirm compliance with the requirements of a forest or
15 fruit-tree reservation; and to make special report to the
16 county auditor of all reservations made in the county under the
17 provisions of [this chapter](#).

18 The board of supervisors shall designate the county
19 conservation board or the assessor who shall inspect the area
20 for which an application is filed for a fruit-tree or forest
21 reservation tax exemption before the application is accepted.
22 Use of aerial photographs may be substituted for on-site
23 inspection when appropriate. The application can only be
24 accepted if it meets the criteria established by the natural
25 resource commission to be a fruit-tree or forest reservation.
26 Once the application has been accepted, the area shall continue
27 to receive the tax exemption during each year in which the
28 area is maintained as a fruit-tree or forest reservation
29 without the owner having to refile. If the property is sold
30 or transferred, the seller shall notify the buyer that all, or
31 part of, the property is in fruit-tree or forest reservation
32 and subject to the recapture tax provisions of [this section](#).
33 The tax exemption shall continue to be granted for the
34 remainder of the eight-year period for fruit-tree reservation
35 and for the following years for forest reservation or until

1 the property no longer qualifies as a fruit-tree or forest
2 reservation. The area ~~may~~ shall be inspected ~~each year~~ once
3 every three calendar years by the county conservation board
4 or the assessor to determine if the area is maintained as a
5 fruit-tree or forest reservation. The assessor or the county
6 conservation board may collect a fee from the owner of the
7 area for the cost of the initial inspections and subsequent
8 inspections. If the area is not maintained or is used for
9 economic gain other than as a fruit-tree reservation during any
10 year of the eight-year exemption period and any year of the
11 following five years or as a forest reservation during any year
12 for which the exemption is granted and any of the five years
13 following those exemption years, the assessor shall assess the
14 property for taxation at its fair market value as of January
15 1 of that year and in addition the area shall be subject to
16 a recapture tax. However, the area shall not be subject to
17 the recapture tax if the owner, including one possessing under
18 a contract of sale, and the owner's direct antecedents or
19 descendants have owned the area for more than ten years. The
20 tax shall be computed by multiplying the consolidated levy
21 for each of those years, if any, of the five preceding years
22 for which the area received the exemption for fruit-tree or
23 forest reservation times the assessed value of the area that
24 would have been taxed but for the tax exemption. This tax
25 shall be entered against the property on the tax list for the
26 current year and shall constitute a lien against the property
27 in the same manner as a lien for property taxes. The tax when
28 collected shall be apportioned in the manner provided for the
29 apportionment of the property taxes for the applicable tax
30 year.

31 Sec. 2. DEPARTMENT OF NATURAL RESOURCES — FOREST RESERVE
32 PROGRAM TASK FORCE.

33 1. The department of natural resources shall convene a task
34 force to meet during the 2024 legislative interim to examine
35 the role of the forest and fruit-tree reservation program

1 in implementing the state forest plan and achieving forest
2 conservation goals.

3 2. Task force membership shall consist of a representative
4 from each of the following:

- 5 a. Iowa state association of counties.
- 6 b. Iowa league of cities.
- 7 c. Iowa wood industry association.
- 8 d. Coalition for Iowa woodlands and trees.
- 9 e. Iowa state association of assessors.
- 10 f. Association of county conservation boards.
- 11 g. Iowa farm bureau federation.

12 3. The task force shall create a report with its findings
13 that shall include recommendations for modifications to the
14 forest and fruit-tree program and shall submit the report to
15 the general assembly no later than November 1, 2024.>

16 2. Title page, by striking lines 1 through 3 and inserting
17 <An Act relating to forest and fruit-tree reservations,
18 including compliance inspections and creating a forest reserve
19 program task force.>

ISENHART of Dubuque