A bill for an act

relating to taxation; property; delaying the implementation of certain 2008 changes to the green acres program by one year; amending Minnesota Statutes 2008, section 273.111, subdivision 3a.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 273.111, subdivision 3a, is amended to read:

Subd. 3a. **Property no longer eligible for deferment.** (a) Real estate receiving the tax deferment under this section for assessment year 2008, but that does not qualify for the 2009 assessment year due to changes in qualification requirements under Laws 2008, chapter 366, shall continue to qualify until any part of the land is sold, transferred, or subdivided, provided that the property continues to meet the requirements of Minnesota Statutes 2006, section 273.111, subdivision 3.

(b) When property assessed under this subdivision is withdrawn from the program or becomes ineligible, the property shall be subject to additional taxes, in the amount equal to the average difference between the taxes determined in accordance with subdivision 4, and the amount determined under subdivision 5, for the current year and the two preceding years, multiplied by (1) three, in the case of class 2a property under section 273.13, subdivision 23, or any property withdrawn before ~~January 2, 2009~~ May 1, 2010, or (2) seven, in the case of property withdrawn after ~~January 2, 2009~~ May 1, 2010, that is not class 2a property. In order to withdraw property under clause (1), a taxpayer must submit a nonbinding notice of intent to withdraw with the assessor by December 31, 2009. The number of years used as the multiplier must not exceed the number of years during which the property was subject to this section. The amount determined under subdivision

5 shall not be greater than it would have been had the actual bona fide sale price of the real property at an arm's-length transaction been used in lieu of the market value determined under subdivision 5. The additional taxes shall be extended against the property on the tax list for the current year, provided that no interest or penalties shall be levied on the additional taxes if timely paid.

EFFECTIVE DATE. This section is effective the day following final enactment.