HB 197

Changes to Forest Land Protection Act (FLPA)

- Excludes the underlying land of a residence from the covenant for renewals or new covenants after January 1, 2014

- Allows the granting of easements for ingress and egress without breaching the covenant

- Authorizes a one time transfer from FLPA to CUVA if the property fails to adhere to the qualifying purposes of FLPA but meets the qualifying purposes of CUVA

- Authorizes the owner of property under a covenant to sell less than 200 acres. The acres sold will remain subject to the original covenant and if the acquiring party breaches the covenant they will be subject to the penalties on the property they own in the covenant

- Authorizes an owner of property eligible for FLPA to place their property in a covenant at anytime while their property is under appeal

- Reduces the penalty for breaching a covenant from up to three times the tax savings to two times the tax savings

- Eliminates assessors that are not chief appraisers from serving on a Department of Revenue Performance Review Board

- Adds a responsibility for the Performance Review Board to check for compliance with the Property Tax Appraisal Manual and report its findings to the DOR Commissioner and the county governing authority

- Authorizes the DOR Commissioner to use the Performance Review Board to determine if a county is complying with the FLPA law and to withhold FLPA Grants if it is determined that the law was knowingly violated

- Changes the calculation of the temporary tax bill to be paid while a property is under appeal

- Increases the maximum interest cap on taxes or refunds owed for non-homestead properties from $150 to $5,000