

Search Results

State Incentive-Based Growth Management Laws

Arizona

Citation:	Summary	Topic Areas
2000 House Bill 2060 (Enacted as Chapter 267)	Authorizes taxpayers and corporations to include the amount deducted for conveying ownership or development rights for property to an agricultural preservation district for credit against their state income taxes. Applications must be made to the district to review and determine the qualification for, and amount of, the credit. The district will issue a certificate stating the appraisal amount and the amount of the tax credits per taxpayer or corporation, not to exceed \$33,000 in any calendar year, and no more than \$10 million in tax credits. If the allowable tax credit exceeds the taxes due on the claimant's income, the amount of the claim not used to offset taxes shall be refunded.	[Tax Incentives]

California

Citation:	Summary	Topic Areas
2000 Senate Bill 1647 (Enacted as	Enacts the Natural Heritage Preservation Tax Credit Act whereby property may be contributed to the state, a local government or nonprofit organization designated by a local	[Tax Incentives]

Chapter 113) government to provide for the protection of wildlife habitat, open space and agricultural lands. The law authorizes an individual or corporate state income tax credit equal to 55 percent of the fair market value of any qualified contribution or property approved for acceptance by the Wildlife Conservation Board, made on or after January 1, 2000, and prior to December 31, 2005. The credit may be carried over to reduce the net tax in the following seven years. Total state income tax credits shall not exceed \$100 million.

Colorado

Citation:	Summary	Topic Areas
1999 House Bill 1155 (Enacted)	Provides a state income tax credit for the donation of a conservation easement to a governmental entity or a nonprofit organization. The amount of the tax credit is equal to the fair market value of the conservation easement, not to exceed \$100,000 per donation. The bill allows the unused portion of the tax credit to be carried forward for 20 years.	[Tax Incentives]
	Implementation Notes: The bill's fiscal note estimates that the impact of the tax credit on the state's general fund is projected at \$238,500 in FY 2000, \$715,000 in FY 2001, \$1.16 million in FY 2002, and \$1.5 million in subsequent years.	
2000 House Bill 1348 (Enacted)	Authorizes a taxpayer who has donated a conservation easement on eligible land and has qualified for a state income tax credit, to receive a refund of the amount of the tax credit that exceeds his or her tax liability (in lieu of carrying over the excess amount to subsequent tax years). The amount of the refund and credit used to offset the tax liability may not exceed \$20,000 in a tax year. The bill also would allow a taxpayer to transfer to another taxpayer all or a portion of the tax credit to apply to the transferee's tax liability.	[Tax Incentives]
	Implementation Notes: The bill's fiscal note estimates that the impact of the transferable or refunded tax credit on the state's general fund, above that authorized in	

1999 House Bill 1155, is projected at \$261,500 in FY 2000, \$784,500 in FY 2001 and \$1.34 million in FY 2002.

2001 House Bill 1090 (Enacted)	As amended, the bill would increase the state income tax credit for donation of a conservation easement from a maximum amount of \$100,000 to \$260,000 per donation. The bill would also increase the maximum amount of the tax credit that is available for refund in a single year from \$20,000 to \$50,000 beginning in 2003.	[Tax Incentives]
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Implementation Notes: The bill's fiscal note estimates that the decrease in state revenues beyond that incurred in 1999 House Bill 1155 and 2000 House Bill 1348 will be \$1.5 million in FY2003, \$4.5 million in FY2004, and \$7.5 million in FY2005.

Connecticut

Citation:	Summary	Topic Areas
1999 Senate Bill 1 (Enacted as Public Act 99-173)	Section 47 of Public Act 99-173 authorizes a corporate business tax credit equal to 50 percent of the value of open space land donated to the state, a political subdivision of the state, or a nonprofit land conservation organization that is permanently preserved as protected open space.	[Tax Incentives]
2000 House Bill 5883 (Enacted as Public Act 00-203)	Establishes the Charter Oak Open Space Trust Account and the Charter Oak Open Space Grant Program to provide grants authorized by the Commissioner of Environmental Protection to municipalities and nonprofit organizations to acquire interests in land for open space and watershed protection purposes. A permanent conservation easement must be executed for any grant-purchased property. The act also allows a taxpayer to carryover the unused portion of the corporate business tax credit for the donation of open space land for up to 10 years.	[Tax Incentives]

Delaware

Citation:	Summary	Topic Areas
1999 House Bill 413 (Enacted)	Would create a state income tax credit for permanent gifts of land or conservation easements to public agencies and qualified private nonprofit, charitable organizations. Eligible property must meet criteria for open space established by the Delaware Land Protection Act, consist of natural habitat for the protection of Delaware's unique and rare biological natural resources, or protect Delaware's important historic resources. The tax credit is based on 40 percent of the fair market value of the gift, but cannot exceed \$50,000. In any one tax year, the credit claimed cannot exceed the tax due, but unused portions of the credit can carry forward for up to five consecutive years. The total amount of tax credits made by the state under this provision cannot exceed \$1 million a year over a ten-year period for a total of \$10 million.	[Tax Incentives]

Florida

Citation:	Summary	Topic Areas
1999 House Bill 17 (Enacted as Chapter 99-378)	Authorizes counties and municipalities to designate urban infill and redevelopment areas. Local government incentives to developers for new development, expansion of existing development or redevelopment within an urban infill and redevelopment area include waiver of license and permit fees, waiver of local option sales taxes, expedited permitting, lower transportation impact fees for development that encourages public transit, prioritized infrastructure financing, and absorption of developer's concurrency costs. State incentives for local governments that adopt urban infill and redevelopment plans include authority to issue community redevelopment revenue bonds, community redevelopment tax increment financing, and priority in the allocation of private activity bonds. The act also establishes a grant program for local government projects in urban infill and redevelopment areas, and amends the state's transportation concurrency requirements to encourage public transit facilities within urban infill and redevelopment areas.	[Tax Incentives]

Maryland

Citation:	Summary	Topic Areas
Md. Tax-Property Code, §2-220	Authorizes the governing body of any county or municipality to grant a property tax credit against the county or municipal property tax imposed on any real property that is subject to a perpetual conservation easement donated to a qualified land trust.	[Tax Incentives]
2001 House Bill 681 and Senate Bill 459 (Enacted as Chapter 676)	Provides an individual a state income tax credit for the donation of a conservation easement to the Maryland Environmental Trust or the Maryland Agricultural Land Preservation Foundation to preserve open space, agricultural lands and other natural lands. The amount of the tax credit is equal to the difference between the fair market value of the land before the attachment of the conservation easement and its fair market value after the easement has been attached. The credit may not exceed the lesser of the individual's tax liability in a given year or \$5,000. Any unused amount may be carried over for 15 years.	[Tax Incentives]

Massachusetts

Citation:	Summary	Topic Areas
2000 House Bill 4866 (Enacted as Chapter 267)	The Community Preservation Act establishes a program for municipalities to purchase interests in open space to meet a community's need for open space preservation, historic preservation and housing. The program is funded by a surcharge on property tax bills of up to three percent, and a fee on the registration of deeds of one percent, if approved by the electorate of the community. The state Executive Office of Environmental Affairs is authorized to establish a fund for matching grants comprised of a \$10 increase in land conveyance fees. (Note: HB 4866 replaces HB 4863.)	[Tax Incentives]

North Carolina

Citation:	Summary	Topic Areas
N.C. Gen. Stat., §105-	Provides a state income tax credit for corporations and individuals that donate conservation lands to the state, local	[Tax Incentives]

130.34, §105-151.12 governments or nonprofit organizations. The tax credit is equal to 25 percent of the fair market value of the land, not to exceed \$250,000. It may not exceed the amount of the tax imposed on the corporation or individual in the year it is claimed. Any unused portion of the credit may be carried over for the next five years.

Rhode Island

Citation:	Summary	Topic Areas
2002 House Bill 7106 (Enacted)	Would authorize any city or town to exempt from property taxes farmland, forest land or open space.	[Tax Incentives]

South Carolina

Citation:	Summary	Topic Areas
S.C. Code Ann., §49-29-100	Provides a personal income tax deduction to landowners that donate a perpetual easement to the state under the scenic rivers program. The deduction is equal to the fair market value of the easement.	[Tax Incentives]
2000 House Bill 3782 (Enacted as Act 283)	Enacts the Conservation Incentives Act which provides a state income tax credit for landowners who voluntarily convey lands or conservation easements to qualified conservation organizations. The act allows for an income tax credit equal to 25 percent of the value of land donated for conservation, or for a qualified conservation contribution of a real property interest. The tax credit is a capped at \$250 per acre, not to exceed \$52,500 in any tax year. Any unused portion of the credit may be carried forward to subsequent tax years until it is completely used, or transferred. The act also establishes the Conservation Grant Fund to stimulate the use of conservation easements and fee simple gifts of land for conservation to qualified conservation organizations. Revenue in the fund shall be used primarily to defray the transaction costs of donating conservation easements for purposes of obtaining a tax credit. The fund may not be used to purchase land or interests in land.	[Tax Incentives]

Virginia

Citation:	Summary	Topic Areas
1999 House Bill 1752 (Enacted as Chapter 983)	Provides a state income tax credit for individuals and corporations that donate land or development rights to land to a qualified public or private conservation agency for a conservation or preservation purpose, including agricultural or forestry use, open space, natural resource or biodiversity conservation, or watershed or historic preservation. The tax credit is equal to 50 percent of the land's fair market value, not to exceed \$50,000 in FY 2000, \$75,000 in FY 2001, and \$100,000 in FY 2002 and succeeding years. The credit may be carried over for a period of five years.	[Tax Incentives]

Wisconsin

Citation:	Summary	Topic Areas
Wis. Stat. Ann., §71.28, §71.57 et seq.	Provides an income tax credit to owners of farmland that is subject to a farmland preservation agreement restricting the land's use. The income tax credit is calculated against property taxes accrued in the preceding year. The maximum income tax credit is \$4,200.	[Tax Incentives]

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