



HOUSE OF REPRESENTATIVES

HB 2344

property tax penalty waiver
Sponsor: Representative Lesko

DP Committee on Ways and Means

DPA Caucus and COW

X As Transmitted to the Governor

OVERVIEW

HB 2344, retroactive to July 1, 2012, allows a county treasurer, in consultation with the board of supervisors, to waive a penalty required for a property owner who fails to respond to a request for information about a property's use.

HISTORY

Currently, a parcel of property that is classified as class three must be used as the property owner's or a relative of the property owner's primary residence (Arizona Revised Statutes [A.R.S.] § 42-12003). Pursuant to A.R.S. § 42-12052, a county assessor who has reason to believe that a class three property is not being used in accordance with these requirements shall make a request to the owner in writing for additional information as to whether the property is used as a primary residence, a secondary residence, or a rental property. If the property owner fails to respond to this request, the county assessor must reclassify the property as class four.

A property owner may appeal reclassification within 30 days after notification is mailed. Upon reclassification of a property as class four, a county assessor must notify the county treasurer, who must assess a civil penalty equal in amount to the property tax rebate paid to the property owner in the previous tax year (A.R.S. § 15-972). Property owners may appeal this penalty within 30 days of notification. A lien is placed against properties with penalties that have not been paid or waived (A.R.S. § 42-12052).

PROVISIONS

- Permits a county treasurer, in consultation with the board of supervisors, to waive the penalty against a property owner for failure to respond to a request for information regarding the property's classification for tax purposes.
- Contains a retroactive effective date of July 1, 2012.
- Contains a repeal date of July 1, 2014.