

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

HOUSE BILL 2095

AN ACT

AMENDING SECTION 42-12152, ARIZONA REVISED STATUTES; RELATING TO PROPERTY CLASSIFICATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 42-12152, Arizona Revised Statutes, is amended
3 to read:
4 42-12152. Criteria for classification of property used for
5 agricultural purposes; exception; affidavit
6 A. Property is not eligible for classification as property used for
7 agricultural purposes unless it meets the following criteria:
8 1. The primary use of the property is as agricultural land and the
9 property has been in active production according to generally accepted
10 agricultural practices for at least three of the last five years.
11 Property that has been in active production may be:
12 (a) Inactive for a period of not more than twelve months as a
13 result of acts of God.
14 (b) Inactive as a result of participation in:
15 (i) A federal farm program that allows voluntary land conserving
16 use acreage or acreage conservation, or both.
17 (ii) A scheduled crop rotation program.
18 (c) Inactive or partially inactive due to a temporary OR PARTIAL
19 reduction in or transfer of the available water supply or irrigation
20 district water allotments for agriculture use in the farm unit. For land
21 within an irrigation district in a county with a population of less than
22 nine hundred thousand persons, the temporary OR PARTIAL reduction or
23 transfer may be verified by an official certification from the irrigation
24 district to the county assessor that confirms the reduction or transfer,
25 except that if that land is located in an active management area and the
26 land does not have an irrigation grandfathered groundwater right, the land
27 is not eligible as cropland. A certification for TEMPORARY OR partial
28 reduction is not valid for full inactivity of the farm unit for more than
29 one year.
30 (d) Grazing land that is inactive or partially inactive due to
31 reduced carrying capacity or generally accepted range management
32 practices.
33 2. There is a reasonable expectation of operating profit, exclusive
34 of land cost, from the agricultural use of the property.
35 3. If the property consists of noncontiguous parcels, the
36 noncontiguous parcels must be managed and operated on a unitary basis and
37 each parcel must make a functional contribution to the agricultural use of
38 the property.
39 B. If feedlot or dairy operations that are in active production are
40 moved to another property at which the operations are in active
41 production, the requirement that the property be in active production for
42 at least three of the last five years does not apply to the property to
43 which the operations are moved for the first three years after the
44 operations are moved.

1 C. The requirement ~~contained~~ in subsection A, paragraph 2 of this
2 section ~~shall be~~ IS satisfied if the owner files with the assessor an
3 affidavit of agricultural use, signed by the owner attesting that all
4 information in the affidavit is true and the property is actively
5 producing with an expectation of profit.