

BALLOT LANGUAGE FOR CONSTITUTIONAL INITIATIVE NO. 129 (CI-129)

CONSTITUTIONAL INITIATIVE NO. 129

A CONSTITUTIONAL AMENDMENT PROPOSED BY INITIATIVE PETITION

CI-129 amends the Montana Constitution to limit the annual increase in the valuation of a primary residence to 2% when assessing property taxes unless there are changes to the residence or a change of ownership. Upon a change of ownership or a change to the residence, a primary residence is assessed at fair market value starting January 1 of the following year. New primary residences are assessed at fair market value as of January 1 of the year following their construction. Purchases or transfers of primary residences between spouses or between parents and children are not considered changes in ownership. A person may have only one primary residence and must own and occupy that residence for at least 7 months of the year.

YES on Constitutional Amendment CI-129

NO on Constitutional Amendment CI-129

THE COMPLETE TEXT OF CONSTITUTIONAL INITIATIVE NO. 129 (CI-129)

Section 1. Article VIII, section 3, of The Constitution of the State of Montana is amended to read:

Section 3. Property tax administration. (1) Subject to subsections (2) through (5), the state shall appraise, assess, and equalize the valuation of all property which is to be taxed in the manner provided by law.

(2) The value of a primary residence may be assessed annually on January 1. Except as provided in this section, any increase in the assessed valuation of a primary residence may not exceed two percent of the assessed valuation of the prior year.

(3) An assessed valuation of a primary residence may not exceed fair market value.

(4) (a) After a change of ownership, a primary residence shall be assessed at fair market value as of January 1 of the following year. After this initial assessment following the change of ownership, the primary residence shall be assessed as provided in this section.

(b) As used in subsection (4) (a), "change of ownership" does not include the purchase or transfer of a primary residence between spouses or between parents and their children. Other transactions involving primary residences may be excluded from subsection (4) (a) as provided by law.

(5) New primary residences shall be assessed at fair market value as of January 1 of the year following the establishment of the primary residence.

(6) Changes, additions, reductions, or improvements to primary residences shall be assessed as provided by law. After the adjustment for any change, addition, reduction, or improvement, a primary residence shall be assessed as provided in this section.

(7) As used in this section, "primary residence" means a single-family dwelling that is owned and occupied for at least 7 months of the year and in which a person has a true, fixed, and permanent home and principal establishment to which, whenever absent, the person has the intention of returning. A person may have only one primary residence at a time. When a primary residence is established in a foreign state or country, that primary residence is presumed to continue until the person shows that a change has occurred.

YES on Constitutional Amendment CI-129

NO on Constitutional Amendment CI-129