

28 Section 1. Section **59-2-301.5** is enacted to read:

29 **59-2-301.5. Definitions -- Assessment of property if threatened or endangered**
30 **species is present.**

31 (1) As used in this section:

32 (a) "Endangered" is as defined in Section 23-13-2.

33 (b) "Threatened" is as defined in Section 23-13-2.

34 (2) In assessing the fair market value of property, a county assessor shall consider as
35 part of the determination of fair market value whether a threatened or endangered species is
36 present on ~~H~~→ **any portion of** ←~~H~~ the property, including any impacts the presence of the
36a threatened or endangered
37 species has on:

38 (a) the functionality of the property;

39 (b) the ability to use the property; and

40 (c) property rights.

41 (3) This section does not prohibit a county assessor from including as part of a
42 determination of the fair market value of property any other factor affecting the fair market
43 value of the property.

44 Section 2. **Effective date.**

45 This bill takes effect on January 1, 2014.

Legislative Review Note
as of **2-4-13 4:46 PM**

Office of Legislative Research and General Counsel