Public Act 490 - The Basics

Q: What is Public Act 490 and Use Value Assessment?
A: Public Act 490 is Connecticut's law (Connecticut General Statutes Sections 12-107a through 107-f) that allows your farm, forest, or open space land to be assessed at its use value rather than its fair market or highest and best use value (as determined by the property's most recent "fair market value" revaluation) for purposes of local property taxation. Without the lower use value assessment, most landowners would have to sell the land because they would not be able to afford the property taxes on farm, forest, or open space land.

Q: When did Public Act 490 begin, and is it unique to Connecticut?
A: Public Act 490 was passed by the Connecticut legislature in 1963. Every state in the nation has a Use Value Assessment law for its farm, forest, or open space land. Each state has different rules in regards to its particular Use Value Assessment law. Even in the early 1960's legislative intent identified PA 490 as an important land preservation tool.

Q: How much in property taxes can I save with Public Act 490?
A: Each situation is different; however, the savings can be significant. It must be noted that Public Act 490 allows farmers to continue to farm, and other landowners to continue to own forest and open space land without being forced to sell it to pay the local property taxes.

Q: What if I disagree with my assessor's decision?
A: As a taxpayer, you have the right to appeal your assessor's decision to your town's Board of Tax Review. It is suggested that you contact the Farm Bureau, Connecticut Department of Agriculture, or the Cooperative Extension System before you proceed with your appeal. These service agencies do not offer legal advice or possess the authority to overturn your town's decision. However, they are experienced and knowledgeable in Public Act 490. Their insight might help you determine if you have a valid case on which to proceed.

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Q: What happens if I sell my land or no longer use it for farm, forest, or open space land?
A: If land is taken out of the farm, forest or open space classification, you may be subject to a conveyance tax penalty, especially if it is within a ten year period of the initial date of classification. It is best to seek further guidance if you believe you may face this issue.

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preservation of farm, forest, and open space land." Thus, in this respect it is very fair. Additionally, even with the lower property taxes collected, the towns do not sacrifice property tax revenues because of Public Act 490. Studies done across the nation, and closer to home by the American Farmland Trust, have conclusively proven that property tax revenues generated by farm, forest, or open space land, are far greater than the expenditures by the town to service that land. Under the current structure, the residential sector costs a town more to service than the amount of property tax generated from that sector. Because commercial and industrial development require services and attract more residents, these sectors may also result in increased tax burdens. Thus, farm, forest, and open space land can actually help control and maintain reasonable rates of property taxation for all of a town’s taxpayers.