

2011 Bill 207

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Fourth Session, 27th Legislature, 60 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 207**

## **SENIORS' PROPERTY TAX DEFERRAL ACT**

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MR. VANDERBURG

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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## BILL 207

2011

### SENIORS' PROPERTY TAX DEFERRAL ACT

(Assented to \_\_\_\_\_, 2011)

WHEREAS the Legislative Assembly of Alberta acknowledges the many contributions of Alberta seniors;

WHEREAS a great number of seniors live on fixed incomes yet face increasing costs for the necessities of life; and

WHEREAS it is in the interest of all Albertans that municipal property taxes should not be an undue financial burden on Alberta seniors;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

#### Definitions

1 In this Act,

- (a) "Bill" means the Bill required to be introduced under section 2;
- (b) "Minister" means the Minister designated in the Bill as the Minister responsible for the property tax deferral program established by the Bill;
- (c) "municipality" means a municipality as defined in the *Municipal Government Act*;
- (d) "senior" means a person who is 65 years of age or older.

### **Bill required providing for property tax deferral**

**2** Not later than 1 year after the coming into force of this Act, a member of the Executive Council shall introduce a Bill to establish a property tax deferral program for Alberta seniors.

### **Property tax deferral program**

**3(1)** The Bill shall provide that

- (a) a senior who has been ordinarily resident in Alberta for not less than 1 year may apply to the Minister for a deferral of all or part of the current and future property taxes payable to a municipality on his or her principal residence;
- (b) the Minister shall enter into a deferral agreement with a senior who applies for a property tax deferral and meets the eligibility requirements specified in the Bill;
- (c) a deferral agreement may be registered as a charge in favour of the Government against the land described in the agreement, with the effect of registration and priority specified in the Bill;
- (d) a deferral agreement may not be made if the registered charges against the property are more than 75 per cent of the actual value of the property;
- (e) a deferral agreement terminates on the earliest of:
  - (i) the death of the senior;
  - (ii) the transfer of the property that is the subject of the agreement;
  - (iii) a date requested in writing by the senior;
  - (iv) a date set by the Minister if the Minister determines that the senior is no longer eligible to participate in the property tax deferral program;
- (f) on the termination of a deferral agreement, the deferred taxes immediately become due and payable without further notice or demand together with interest at a rate prescribed by the Minister.

**(2)** The Bill may

- (a) provide that a deferral agreement does not terminate on the death of a senior if the property is transferred to a surviving spouse;
- (b) specify additional eligibility requirements for participation in the property tax deferral program;
- (c) authorize the Lieutenant Governor in Council or the Minister to make regulations concerning the requirements in the Bill;
- (d) make any amendments to statutes necessary to meet the objectives and requirements of this Act;
- (e) contain any provisions necessary for carrying out the intent of this Act or to meet cases that are not specified in this Act.

**Consultation**

4 The Minister of Municipal Affairs shall consult with members of the public and municipalities prior to the introduction of the Bill.

**Coming into force**

5 This Act comes into force on Proclamation.







