

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2392

Introduced by

Senators Syverson, Thane, Tollefson

Representatives Boehning, Maragos, Wieland

1 A BILL for an Act to amend and reenact section 57-40.5-02 of the North Dakota Century Code,
2 relating to the aircraft excise tax rate for vintage aircraft for display at a museum or airshow;
3 and to provide an effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 57-40.5-02 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **57-40.5-02. Tax imposed.** There is imposed an excise tax at the rate of five percent
8 on the purchase price of any aircraft purchased or acquired either in or outside of the state of
9 North Dakota or on the lease or rental cost of any aircraft, less fuel, if rented dry and required to
10 be registered under the laws of this state, except ~~on~~:

- 11 1. For aircraft or helicopters designed or modified for exclusive use as agricultural
12 aircraft for aerial application of agricultural chemicals, insecticides, fungicides,
13 growth regulators, pesticides, dusts, fertilizer, or other agricultural materials, the
14 excise tax is imposed at the rate of three percent on the purchase price of any
15 such aircraft purchased or acquired in or outside of this state, including the leasing
16 or renting of such agricultural aircraft to users for agricultural purposes.
- 17 2. For vintage aircraft or helicopters, as defined in sections 2-05-11.1, 2-05-11.2, and
18 2-05-11.3, the excise tax is imposed at the rate of two percent on the purchase
19 price of the aircraft or helicopter purchased or acquired in or outside this state if
20 the aircraft or helicopter will be made available for museum display, if space is
21 available, or airshows in this state for at least seven months of each calendar year.
22 The purchaser of an aircraft or helicopter seeking the reduced tax rate under this
23 subsection shall provide the director of aeronautics documentation, as required by

1 the director, of agreements or arrangements for public display of the aircraft or
2 helicopter at a museum or airshow as required by this subsection.

3 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable events occurring after
4 June 30, 2005.