

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Glassheim

1 A BILL for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota
2 Century Code, relating to a property tax exemption for unsold and unoccupied residential
3 property still owned by the builder; and to provide an effective date.

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

5 **SECTION 1.** A new subsection to section 57-02-08 of the North Dakota Century Code
6 is created and enacted as follows:

7 New single-family residential property, exclusive of the land on which it is situated,
8 is exempt from taxation for the taxable year in which construction is completed and
9 the following taxable year if all of the following conditions are met:

10 a. The governing body of the city, for property within city limits, or the governing
11 body of the county, for property outside city limits, has approved the
12 exemption of property under this subsection by resolution. A resolution
13 adopted under this subsection may be rescinded or amended at any time.

14 The governing body of the city or county may limit or impose conditions upon
15 exemptions under this subsection, including limitations on the time during
16 which an exemption is allowed.

17 b. Special assessments and taxes on the property upon which the residence is
18 situated are not delinquent.

19 c. The property is unoccupied and still owned by the builder.

20 d. The builder has filed a claim for the exemption under this section with the
21 county auditor, on a form provided by the county auditor, identifying each
22 parcel of property for which the builder claims the exemption. A claim of the
23 exemption under this subsection must be filed by the end of the taxable year
24 in which construction is completed on the property. A builder may file claims

1 for exemption of no more than ten properties under this subsection in a county
2 in a taxable year.

3 e. If a property is sold or occupied during the time the exemption under this
4 subsection would otherwise apply, the buyer or builder becomes ineligible for
5 the exemption and the property is subject to property taxes from the date of
6 the sale or occupancy.

7 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
8 December 31, 2008.