

Sixty-first  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO.

Introduced by

Representative Pollert

1 A BILL for an Act to amend and reenact paragraph 5 of subdivision b of subsection 15 of  
2 section 57-02-08 of the North Dakota Century Code, relating to the amount of nonfarm income  
3 that may be earned by a farmer to remain eligible for the farm residence property tax  
4 exemption; and to provide an effective date.

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

6 **SECTION 1. AMENDMENT.** Paragraph 5 of subdivision b of subsection 15 of section  
7 57-02-08 of the North Dakota Century Code is amended and reenacted as follows:

8 (5) In addition to any of the provisions of this subsection or any other  
9 provision of law, a residence situated on agricultural land is not exempt  
10 for the year if it is occupied by an individual engaged in farming who  
11 had nonfarm income, including that of a spouse if married, of more than  
12 ~~forty~~ fifty thousand dollars during each of the three preceding calendar  
13 years. The tax commissioner shall adjust the amount of the nonfarm  
14 income limitation under this paragraph for each taxable year after 2009  
15 by applying the percentage change for the preceding calendar year in  
16 the mean annual wage estimate for all occupations in North Dakota as  
17 compiled by the bureau of labor statistics of the United States  
18 department of labor. This paragraph does not apply to a retired farmer  
19 or a beginning farmer as defined in paragraph 2.

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