

Sixty-second
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1157

Introduced by

Representatives Maragos, Heilman, Klein

Senators Krebsbach, Sorvaag

1 A BILL for an Act to create and enact a new subsection to section 57-40.5-03 of the North
2 Dakota Century Code, relating to an exemption from aircraft excise tax for aircraft acquired by
3 an aviation museum; 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 57-40.5-03 of the North Dakota Century Code is
6 created and enacted as follows:

7 Aircraft acquired by an aviation museum located in this state that is exempt from
8 federal income taxation under section 501(c)(3) of the United States Internal Revenue
9 Code [26 U.S.C. 501(c)(3)]. For purposes of this subsection, the term "acquired" has
10 the meaning as provided in section 57-40.5-01. Any aviation museum acquiring an
11 aircraft under this subsection shall comply with sections 57-40.5-04 and 57-40.5-05.
12 The aircraft may not be used for commercial activities. For purposes of this
13 subsection, commercial activities do not include activities for which a fee is charged
14 when the proceeds are used for the benefit of the aviation museum.

15 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable events occurring after
16 June 30, 2011.