

Introduced by

Representative Richter

1 A BILL for an Act to amend and reenact subsection 60 of section 57-39.2-04 and subsection 27
2 of section 57-40.2-04 of the North Dakota Century Code, relating to qualification and notification
3 requirements for sales and use tax exemptions for certain sales made to a senior citizen
4 organization; and to provide an effective date.

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

6 **SECTION 1. AMENDMENT.** Subsection 60 of section 57-39.2-04 of the North Dakota
7 Century Code is amended and reenacted as follows:

- 8 60. a. Gross receipts from sales to a senior citizen organization that provides
9 informational, health, welfare, counseling, and referral services for senior citizens
10 in this state if the senior citizen organization:
- 11 a. (1) Is recognized by the internal revenue service as having exempt status under
12 26 U.S.C.501(c)(3);
- 13 b. (2) Is recognized by the secretary of state as a charitable organization; and
- 14 c. (3) Either:
- 15 ~~(1)~~ (a) Provides services through the aging services division of the
16 department of health and human services; ~~or~~
- 17 ~~(2)~~ (b) Receives grant funds through the department of transportation ~~under~~
18 ~~the federal transit administration's~~ which are used for enhanced
19 mobility of seniors and individuals with disabilities ~~program~~ ~~[49 U.S.C.~~
20 ~~5310]~~; or
- 21 (c) Provides services through a contract with the department of health
22 and human services as a program of all-inclusive care for the elderly.

- 1 ~~b. The aging services division of the department of health and human services and~~
2 ~~the department of transportation shall notify the tax commissioner if a senior~~
3 ~~citizen organization no longer meets the criteria in paragraph 3 of subdivision a.~~

4 **SECTION 2. AMENDMENT.** Subsection 27 of section 57-40.2-04 of the North Dakota
5 Century Code is amended and reenacted as follows:

- 6 27. a. Gross receipts from sales to a senior citizen organization that provides
7 informational, health, welfare, counseling, and referral services for senior citizens
8 in this state if the senior citizen organization:
- 9 ~~a-~~ (1) Is recognized by the internal revenue service as having exempt status under
10 26 U.S.C. 501(c)(3);
- 11 ~~b-~~ (2) Is recognized by the secretary of state as a charitable organization; and
- 12 ~~c-~~ (3) Either:
- 13 (1) (a) Provides services through the aging services division of the
14 department of health and human services; ~~or~~
- 15 (2) (b) Receives grant funds through the department of transportation ~~under~~
16 ~~the federal transit administration's~~ which are used for enhanced
17 mobility of seniors and individuals with disabilities ~~program [49 U.S.C.~~
18 ~~5310]; or~~
- 19 (c) Provides services through a contract with the department of health
20 and human services as a program of all-inclusive care for the elderly.
- 21 ~~b. The aging services division of the department of health and human services and~~
22 ~~the department of transportation shall notify the tax commissioner if a senior~~
23 ~~citizen organization no longer meets the criteria in paragraph 3 of subdivision a.~~

24 **SECTION 3. EFFECTIVE DATE.** This Act is effective for taxable events occurring after
25 June 30, 2023.