

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1513

A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales and use tax exemption for materials used to construct expand, or upgrade a hospice care facility owned by a hospice program or a residential end-of-life facility; to amend and reenact subsection 3 of section 57-40.2-03.3 of the North Dakota Century Code, relating to a use tax exemption for material s used to construct, expand, or upgrade a hospice care facility owned by a hospice program or a residential end-of-life facility; and to provide an effective date.

SECTION 1. A new section to chapter 57-39.2 of the North Dakota Century Code is created and enacted as follows:

Sales and use tax exemption for materials used to construct, expand, or upgrade a hospice care facility owned by a hospice program.

1. Gross receipts from sales of tangible personal property used to construct, expand, or upgrade a hospice care facility owned by a hospice program as defined in section 23-17.1-01 or a residential end-of-life facility as defined in section 23-17.7-01 which qualifies qualify as an exempt organization under subsection 24 of section 57-39.2-04 are exempt from taxes under this chapter. To qualify for the exemption, the tangible personal property must be incorporated into the construction, expansion, or upgrade to the point of having no residual economic value.
2. The exemption may be received only at the time of purchase. To receive the exemption, the entity qualifying for an exemption under this section must receive from the tax commissioner a certificate indicating the tangible personal property the entity intends to purchase to construct,

expand, or upgrade the facility qualifies for the exemption under this section.

3. This chapter and chapter 57-40.2 apply to an exemption under this section.

SECTION 2. AMENDMENT. Subsection 57-40.2-03.3 of the North Dakota Century Code is amended and reenacted as follows:

3. The tax imposed by this section does not apply to:
 - i. Tangible personal property used to construct, expand, or upgrade a hospice care facility owned by a hospice program or a residential end-of-life facility as authorized or approved for exemption by the tax commissioner under section 1 of this Act.

SECTION 3. ~~EFFECTIVE DATE.~~ This Act is effective for construction occurring after June 30, 2023 EMERGENCY. This Act is declared to be an emergency.

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Page 1, line 3, after “program” insert “or a residential end-of-life facility”

Page 1, line 6, after “program” insert “or a residential end-of-life facility”

Page 1, line 11, after “**program**” insert “**or a residential end-of-life facility**”

Page 1, line 14, after “23-17.4-01” insert “or a residential end-of-life facility as defined in section 23-17.7-01”

Page 1, line 14, replace “qualifies” with “qualify”

Page 1, line 15, after “chapter.” insert “To qualify for the exemption, the tangible personal property must be incorporated into the construction, expansion, or upgrade to the point of having no residual economic value.”

Page 2, line 30 after “program” insert “or a residential end-of-life facility”

Page 3, line 1, remove “EFFECTIVE DATE. This Act is effective for construction occurring after”

Page 3, line 2, remove “June 30, 2023.”

Page 3, Add EMERGENCY CLAUSE

Re-number accordingly

