

**HOUSE BILL NO. 1390**

Introduced by

Representatives Koppelman, Schatz, Kasper, Steiner, Toman, Motschenbacher, VanWinkle  
Senators Cory, Powers, Walen

1 A BILL for an Act to amend and reenact subdivision b of subsection 4 of section 15.1-27-04.1,  
2 subsection 26 of section 57-02-08, sections 57-02-08.3, 57-02-08.9, 57-02-08.10, and  
3 57-02-11.1, subsection 1 of section 57-23-06, and section 57-55-10 of the North Dakota Century  
4 Code, relating to the determination of state school aid, the primary residence credit, and  
5 removal of the homestead and disabled veterans' credit; to repeal sections 57-02-08.1,  
6 57-02-08.2, and 57-02-08.8 of the North Dakota Century Code, relating to the homestead credit  
7 and disabled veterans' credit; to provide an effective date; and to declare an emergency.

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

9 **SECTION 1. AMENDMENT.** Subdivision b of subsection 4 of section 15.1-27-04.1 of the  
10 North Dakota Century Code, as effective through June 30, 2025, is amended and reenacted as  
11 follows:

12 b. Subtract an amount equal to seventy-five percent of all revenue types listed in  
13 ~~subdivisions~~ subdivision c and paragraphs 1 and 2 of subdivision d of  
14 subsection 1 and revenue from payments in lieu of taxes. Before determining the  
15 deduction for seventy-five percent of all revenue types, the superintendent of  
16 public instruction shall adjust revenues as follows:

17 (1) Tuition revenue shall be adjusted as follows:

18 (a) In addition to deducting tuition revenue received specifically for the  
19 operation of an educational program provided at a residential  
20 treatment facility, tuition revenue received for the provision of an adult  
21 farm management program, tuition received for the education of  
22 high-cost and special education students, and tuition received under  
23 an agreement to educate students from a school district on an  
24 air force base with funding received through federal impact aid as

1 directed each school year in paragraph 3 of subdivision c of  
2 subsection 1, the superintendent of public instruction also shall reduce  
3 the total tuition reported by the school district by the amount of tuition  
4 revenue received for the education of students not residing in the  
5 state and for which the state has not entered a cross-border education  
6 contract; and

7 (b) The superintendent of public instruction also shall reduce the total  
8 tuition reported by admitting school districts meeting the requirements  
9 of subdivision e of subsection 2 of section 15.1-29-12 by the amount  
10 of tuition revenue received for the education of students residing in an  
11 adjacent school district.

12 (2) After adjusting tuition revenue as provided in paragraph 1, the  
13 superintendent shall reduce all remaining revenues from all revenue types  
14 by the percentage of mills levied in 2022 by the school district for sinking  
15 and interest relative to the total mills levied in 2022 by the school district for  
16 all purposes.

17 **SECTION 2. AMENDMENT.** Subdivision b of subsection 4 of section 15.1-27-04.1 of the  
18 North Dakota Century Code, as effective after June 30, 2025, is amended and reenacted as  
19 follows:

20 b. Subtract an amount equal to seventy-five percent of all revenue types listed in  
21 ~~subdivisions~~ subdivision c and paragraphs 1 and 2 of subdivision d of  
22 subsection 1 and revenue from payments in lieu of taxes. Before determining the  
23 deduction for seventy-five percent of all revenue types, the superintendent of  
24 public instruction shall adjust revenues as follows:

25 (1) Tuition revenue shall be adjusted as follows:

26 (a) In addition to deducting tuition revenue received specifically for the  
27 operation of an educational program provided at a residential  
28 treatment facility, tuition revenue received for the provision of an adult  
29 farm management program, tuition received for the education of  
30 high-cost and special education students, and tuition received under  
31 an agreement to educate students from a school district on an

1 air force base with funding received through federal impact aid as  
2 directed each school year in paragraph 3 of subdivision c of  
3 subsection 1, the superintendent of public instruction also shall reduce  
4 the total tuition reported by the school district by the amount of tuition  
5 revenue received for the education of students not residing in the  
6 state and for which the state has not entered a cross-border education  
7 contract; and

8 (b) The superintendent of public instruction also shall reduce the total  
9 tuition reported by admitting school districts meeting the requirements  
10 of subdivision e of subsection 2 of section 15.1-29-12 by the amount  
11 of tuition revenue received for the education of students residing in an  
12 adjacent school district.

13 (2) After adjusting tuition revenue as provided in paragraph 1, the  
14 superintendent shall reduce all remaining revenues from all revenue types  
15 by the percentage of mills levied in 2022 by the school district for sinking  
16 and interest relative to the total mills levied in 2022 by the school district for  
17 all purposes.

18 **SECTION 3. AMENDMENT.** Subsection 26 of section 57-02-08 of the North Dakota  
19 Century Code is amended and reenacted as follows:

20 26. a. Fixtures, buildings, and improvements when owned and occupied as a  
21 homestead, as hereinafter defined, by a paraplegic disabled ~~person~~individual, or  
22 if the ~~person~~individual is deceased the unremarried spouse, if the income from all  
23 sources of the ~~person~~individual and spouse, or if the ~~person~~individual is  
24 deceased the income from all sources of the unremarried surviving spouse, in the  
25 calendar year prior to the year for which the exemption is claimed did not exceed  
26 ~~the maximum amount of income provided in section 57-02-08.1 for receiving a~~  
27 ~~homestead credit under that section~~seventy thousand dollars.

28 b. To obtain the exemption for the first time, a certificate from a medical doctor who  
29 is approved by the board of county commissioners, accompanied by an affidavit,  
30 showing the facts herein required and a description of the property, must be filed  
31 with the county auditor. The affidavit and accompanying certificate must be

1 opened to public inspection. Any ~~person~~individual claiming the exemption for any  
2 year after the first year shall furnish to the assessor or other assessment officials  
3 when requested to do so any information which the ~~person~~individual believes will  
4 support the claim for the exemption for any subsequent year.

5 c. For purposes of this subsection, "~~homestead~~" has the meaning provided:

6 (1) "Dependent" has the same meaning it has for federal income tax purposes.

7 (2) "Homestead" means a homestead as described in section 47-18-01 except  
8 that it also applies to any ~~person~~individual who otherwise qualifies under the  
9 provisions of this subsection whether or not the ~~person~~individual is the head  
10 of a family.

11 (3) "Income" means income for the most recent complete taxable year from all  
12 sources, including the income of any dependent of the applicant, and  
13 including any county, state, or federal public assistance benefits, social  
14 security, or other retirement benefits, but excluding any federal rent subsidy,  
15 any amount excluded from income by federal or state law with the exception  
16 of income from social security benefits, and medical expenses paid during  
17 the year by the applicant or the applicant's dependent which is not  
18 compensated by insurance or other means.

19 (4) "Medical expenses" has the same meaning as it has for state income tax  
20 purposes, except that for transportation for medical care the individual may  
21 use the standard mileage rate allowed for state officer and employee use of  
22 a motor vehicle under section 54-06-09.

23 d. The board of county commissioners is hereby authorized to ~~may~~ cancel the  
24 unpaid taxes for any year in which the ~~person~~individual has held title to the  
25 exempt property.

26 **SECTION 4. AMENDMENT.** Section 57-02-08.3 of the North Dakota Century Code is  
27 amended and reenacted as follows:

28 **57-02-08.3. Homestead credit for special assessments - Certification - Lien.**

- 29 1. ~~Any person who has qualified for the property tax credit provided for in section~~  
30 ~~57-02-08.1~~An individual who is sixty-five years of age or older or permanently and  
31 totally disabled with an income not in excess of seventy thousand dollars may elect to

1           also qualify for an ~~additional homestead~~a credit against that ~~person's~~individual's  
2           homestead for the portion of any special assessment levied by a taxing district which  
3           becomes due for the same year.

4           2. The total amount of credits allowed for any one property must not exceed six thousand  
5           dollars, adjusted annually on January first of each year after December 31, 2019, by  
6           the consumer price index, excluding any interest charged by the body levying the  
7           special assessment.

8           3. This credit may be granted only at the election of the qualifying ~~person~~individual. The  
9           ~~person~~individual making the election shall do so by filing with the county auditor a  
10          claim for the special assessment credit on a form prescribed by the tax commissioner.  
11          The claim must be filed with the county auditor on or before February first of the year  
12          in which the special assessment installment thereof becomes payable.

13          4. For purposes of this subsection, "~~consumer~~":

14          a. "Consumer price index" means the percentage change in the consumer price  
15          index for all urban consumers in the midwest region as determined by the United  
16          States department of labor, bureau of labor statistics, for the most recent year  
17          ending December thirty-first.

18          b. "Dependent" has the same meaning it has for federal income tax purposes.

19          c. "Homestead" means a homestead as described in section 47-18-01.

20          d. "Income" means income for the most recent complete taxable year from all  
21          sources, including the income of any dependent of the applicant, and including  
22          any county, state, or federal public assistance benefits, social security, or other  
23          retirement benefits, but excluding any federal rent subsidy, any amount excluded  
24          from income by federal or state law with the exception of income from social  
25          security benefits, and medical expenses paid during the year by the applicant or  
26          the applicant's dependent which is not compensated by insurance or other  
27          means.

28          e. "Medical expenses" has the same meaning as it has for state income tax  
29          purposes, except that for transportation for medical care the individual may use  
30          the standard mileage rate allowed for state officer and employee use of a motor  
31          vehicle under section 54-06-09.

1 f. "Permanently and totally disabled" means the inability to engage in any  
2 substantial gainful activity by reason of any medically determinable physical or  
3 mental impairment which can be expected to result in death or has lasted or can  
4 be expected to last for a continuous period of not less than twelve months as  
5 established by a certificate from a licensed physician or a written determination of  
6 disability from the social security administration or any federal or state agency  
7 that has authority to certify an individual's disability.

8 2.5. a. By March first of each year, the county auditor of each county shall certify to the  
9 state tax commissioner, on forms prescribed by the tax commissioner, the  
10 following information:

- 11 (1) The name and address of each ~~person~~individual for whom the special  
12 assessment credit provided for in subsection 1 was allowed for the  
13 preceding year.  
14 (2) The amount of credit allowed for the special assessment installment thereof  
15 due for the preceding year.  
16 (3) The total amount of the special assessment credits due in each special  
17 assessment district.  
18 (4) Other information that the tax commissioner requires.

19 b. The tax commissioner shall audit the certifications, make such corrections as  
20 may be required, and certify to the state treasurer for payment to each county by  
21 June first of each year the sum of the amounts computed by adding the credits  
22 allowed for portions of special assessments which were due for each homestead  
23 in the county for the preceding year. No more than the portion of special  
24 assessments due for the preceding year shall be allowed as a credit for any  
25 homestead in any year.

26 c. The county treasurer upon receipt of the payment from the state treasurer shall  
27 ~~forthwith~~ apportion and distribute the payment to each special assessment district  
28 in the county according to the total credits allowed for each respective special  
29 assessment district.

30 d. Supplemental certifications by the county auditor and by the state tax  
31 commissioner and supplemental payments by the state treasurer may be made

1 after the dates prescribed herein to make such corrections as may be necessary  
2 because of errors therein.

3 ~~3.6.~~ a. Any credit allowed under subsection 1, plus interest in the amount of six percent  
4 per year from June first of the year for which the special assessment installment  
5 for which a credit is taken becomes payable, creates a lien in favor of the state  
6 against the property upon which the special assessment credit is allowed and  
7 remains a lien upon the property from the time the credit is allowed until the lien  
8 is fully satisfied by depositing the amount of the lien in the state general fund. If  
9 the amount of the lien exceeds the market value of the property, the state may  
10 accept the amount of the market value of the property as payment in full on the  
11 lien.

12 b. (1) Except as otherwise provided in this subdivision, a transfer of title to the  
13 homestead because of sale, death, or otherwise may not be made without  
14 the lien being satisfied. When a credit under subsection 1 is allowed, the  
15 county auditor shall cause a notice of lien of record to be filed against  
16 subject property with the recorder.

17 (2) The recorder may not record any deed for property on which the county  
18 auditor has determined that there is an unsatisfied lien created under this  
19 section, except for a transfer between spouses because of the death of one  
20 of them as provided in paragraph 3.

21 (3) When a transfer occurs between spouses because of the death of one of  
22 them, the lien allowed by this section need not be satisfied until the property  
23 is again transferred.

24 c. This lien has precedence over all other liens except general tax liens and prior  
25 special assessment liens and shall not be divested at any judicial sale. A mistake  
26 in the description of the property covered by this lien or in the name of the owner  
27 of the property does not defeat the lien if the property can be identified by the  
28 description in the special assessment list.

29 **SECTION 5. AMENDMENT.** Section 57-02-08.9 of the North Dakota Century Code is  
30 amended and reenacted as follows:

1           **57-02-08.9. Primary residence credit - Qualification - Application. (Effective for the**  
2 **first two taxable years beginning after December 31, 2023)**

- 3           1. ~~An individual~~A taxpayer is entitled to a credit of ~~five hundred dollars~~ against the  
4           property tax due on the ~~individual's~~taxpayer's primary residence as provided in this  
5           section. The credit ~~may not exceed the amount:~~
- 6           a. Is equal to a seventy percent reduction of the property tax due on the taxpayer's  
7           primary residence.
- 8           b. The credit must be applied to reduce the property tax owed on the individual's  
9           primary residence after other exemptions or credits under this chapter have been  
10          applied.

- 11          2. For purposes of this section, "primary":

12          a. "Owned" means the individual holds a present ownership interest, including  
13          ownership in fee simple, holds a present life estate or other terminable present  
14          ownership interest, holds a beneficial interest in a qualifying trust in which the  
15          property is held, has an ownership interest in the corporation or passthrough  
16          entity that owns the property, or is a purchaser under a contract for deed. The  
17          term does not include a mere right of occupancy or a tenancy under a lease.

18          b. (1) ~~"Primary residence" means a dwelling in this state owned and occupied by~~  
19          ~~an individual as that individual's primary place of residence and includes~~  
20          ~~residences taxed under chapter 57-55, including the land, appurtenances,~~  
21          ~~and improvements used in the residential occupancy of the dwelling, that,~~  
22          ~~subject to paragraph 2 and subsection 3, is:~~

23                  (a) Owned by one or more individuals directly, through a beneficial  
24                  interest in a qualifying trust, or through an ownership interest in a  
25                  corporation or passthrough entity;

26                  (b) Designed or adapted for human residence;

27                  (c) Used as a residence; and

28                  (d) Occupied as a primary place of residence by:

29                          [1] An individual who holds a present ownership interest, including  
30                          ownership in fee simple;

31                          [2] An individual who has a life estate in the property;



1 [3] For property owned through a beneficial interest in a qualifying  
2 trust, by a trustor or beneficiary of the trust who qualifies for the  
3 credit; or

4 [4] For property owned through an ownership interest in a  
5 corporation or passthrough entity, by an individual who holds an  
6 ownership interest in the corporation or passthrough entity and  
7 who qualifies for the credit.

8 (2) For purposes of the term:

9 (a) An individual may not have more than one primary residence.

10 (b) A primary residence includes a primary residence taxed as a mobile  
11 home under chapter 57-55.

12 c. "Qualifying trust" means a trust:

13 (1) In which the agreement, will, or court order creating the trust, an instrument  
14 transferring property to the trust, or any other agreement that is binding on  
15 the trustee provides that the trustor of the trust or a beneficiary of the trust  
16 has the right to use and occupy as the trustor's or beneficiary's primary  
17 residence rent free and without charge except for taxes and other costs and  
18 expenses specified in the instrument or court order:

19 (a) For life;

20 (b) For the lesser of life or a term of years; or

21 (c) Until the date the trust is revoked or terminated by an instrument or  
22 court order that describes the property with sufficient certainty to  
23 identify it and is recorded in the real property records of the county in  
24 which the property is located; and

25 (2) That acquires the property in an instrument of title or under a court order  
26 that:

27 (a) Describes the property with sufficient certainty to identify it and the  
28 interest acquired; and

29 (b) Is recorded in the real property records of the county in which the  
30 property is located.

- 1           d. "Trustor" means an individual who transfers an interest in real or personal  
2           property to a qualifying trust, whether during the individual's lifetime or at death,  
3           or the individual's spouse.
- 4           3. An individual who does not reside in the primary residence ~~in this state~~ is eligible for  
5           the credit under this section if the individual's absence is due to confinement in a  
6           nursing home, hospital, or other care facility, for as long as that confinement lasts and  
7           the portion of the primary residence previously occupied by the individual is not rented  
8           to another individual.
- 9           4. Only one credit under this section may be applied against the property taxes levied  
10          against any primary residence. A trust, corporation, or passthrough entity may not  
11          claim a credit for more than one primary residence under this section.
- 12          5. An individual whose primary residence is a farm structure exempt from taxation under  
13          subsection 15 of section 57-02-08 is not eligible for a credit under this section.
- 14          6. The credit may not reduce the liability for special assessments levied upon any  
15          property.
- 16          7. a. To apply for a credit under this section, an applicant shall sign and file with the  
17          tax commissioner, ~~by April first of each year,~~ an application containing a verified  
18          statement of facts establishing the applicant's eligibility as of the date of the claim  
19          on a form and in the manner prescribed by the tax commissioner.
- 20          b. Subject to subsection 8:
- 21               (1) An application must be filed by April 1, 2025, to request a credit beginning in  
22               taxable year 2025.
- 23               (2) For credits after 2025, an application must be filed by April first to request a  
24               credit beginning:
- 25                   (a) The taxable year during which the application is filed for a primary  
26                   residence taxed as real estate under this title.
- 27                   (b) The taxable year succeeding the taxable year during which the  
28                   application is filed for a primary residence taxed as a mobile home  
29                   under chapter 57-55.
- 30          8. A credit under this subsection is valid for the entire taxable year for which the  
31          application was approved, without regard to any change of ownership of the property

1           which occurs after the application date. A credit remains effective for succeeding  
2           taxable years without the owner filing an application for the credit unless there is a  
3           change of ownership in a succeeding taxable year.

4           9. The tax commissioner may request additional documentation from the applicant when  
5           making the determination of eligibility. Determinations of eligibility for an exemption  
6           under this subsection may be appealed through the equalization and abatement  
7           process.

8           10. The tax commissioner, in consultation with the county auditors, shall prescribe, design,  
9           and make available all forms necessary to effectuate this section. The tax  
10           commissioner shall make these forms available upon request.

11           **SECTION 6. AMENDMENT.** Section 57-02-08.10 of the North Dakota Century Code is  
12 amended and reenacted as follows:

13           **57-02-08.10. Primary residence credit - Certification - Distribution. (~~Effective through~~**  
14 **~~June 30, 2026~~)**

15           1. By June first of each year, the tax commissioner shall:

16           a. Review the applications received under section 57-02-08.9 and determine which  
17           applicants qualify for the credit allowed under section 57-02-08.9; and

18           b. Provide to each county auditor:

19           (1) A copy of each approved or rejected application ~~under subdivision a-~~  
20           ~~which~~that identifies a primary residence located in the county; and

21           (2) The sum of the credits allowed under section 57-02-08.9 in the county for  
22           the ~~current~~corresponding taxable year.

23           2. a. For taxable year 2025:

24           (1) The county auditor shall apply the credit under section 57-02-08.9 to each  
25           primary residence taxed as real estate under this title and identified by the  
26           tax commissioner as a qualifying primary residence on the corresponding  
27           property tax statement.

28           (2) The county auditor shall consider an application received under section  
29           57-02-08.9 for a primary residence taxed as a mobile home under chapter  
30           57-55 and identified by the tax commissioner as a qualifying primary  
31           residence under section 57-02-08.9 in taxable year 2025 as an application

- 1                   for an abatement and refund of taxes in the amount of the credit allowed.
- 2                   The county auditor shall present the application for abatement and refund of
- 3                   taxes to the board of county commissioners at its next regular meeting. The
- 4                   county commissioners shall approve the applications filed under this
- 5                   paragraph as soon as practicable and refunds must be issued without delay
- 6                   according to the procedures in section 57-23-09. The application, notice,
- 7                   and hearing requirements and procedures under chapter 57-23 and
- 8                   sections 57-55-04.1 and 57-55-12 do not apply to an application for
- 9                   abatement and refund filed under this paragraph.
- 10                  b. For taxable years after 2025, the county auditor shall apply the credit under
- 11                   section 57-02-08.9 to each primary residence identified by the tax commissioner
- 12                   as a qualifying primary residence on the corresponding property tax statement or
- 13                   mobile home tax statement.
- 14                  3. By January ~~first~~fifteenth of each year, the county auditor shall certify to the tax
- 15                   commissioner the sum of the credits approved by the tax commissioner under
- 16                   subsection 1 which were applied toward property taxes owed on primary residences in
- 17                   the county for the ~~preceding~~corresponding year.
- 18                  4. By June first of each year ~~after 2024~~, the tax commissioner shall review a sampling of
- 19                   information provided by the county auditor to verify the accuracy of the application of
- 20                   the credit and certify to the state treasurer for payment to each county the aggregate
- 21                   dollar amount of credits allowed under section 57-02-08.9 in each county for the
- 22                   ~~preceding~~corresponding year.
- 23                  5. Within fourteen days of receiving the payment from the state treasurer, but no later
- 24                   than June thirtieth of each year ~~after 2024~~, the county treasurer shall apportion and
- 25                   distribute the payment to the county and to the taxing districts of the county on the
- 26                   same basis as property taxes ~~for the preceding year~~and mobile home taxes were
- 27                   apportioned and distributed for the taxable year in which the taxes were levied.
- 28                  6. Supplemental certifications by the county auditor and the tax commissioner and
- 29                   supplemental payments by the state treasurer may be made after the dates prescribed
- 30                   in this section to make corrections necessary because of errors.

1           7.    The county auditors shall provide information requested by the tax commissioner to  
2           effectuate this section.

3           8.    The tax commissioner shall prescribe, design, and make available all forms necessary  
4           to effectuate this section.

5           **SECTION 7. AMENDMENT.** Section 57-02-11.1 of the North Dakota Century Code is  
6           amended and reenacted as follows:

7           **57-02-11.1. Townhouses - Common areas - Assessment and taxation.**

8           Townhouse property must be classified and valued as is other property except that the  
9           value of the townhouse property must be increased by the value added by the right to use any  
10          common areas in connection with the townhouse development. The common areas of the  
11          development may not be separately taxed. The value of a common area of the townhouse  
12          development must be assessed in an equal amount to each townhouse in the development  
13          unless a declaration setting out a different apportionment is recorded in the office of the county  
14          recorder. The total value of the townhouse property, including the value added as provided  
15          herein, must have the benefit of any homestead credit under ~~section 57-02-08.1~~ or other special  
16          classification if the townhouse otherwise qualifies.

17          **SECTION 8. AMENDMENT.** Subsection 1 of section 57-23-06 of the North Dakota Century  
18          Code is amended and reenacted as follows:

19          1.    Within ten days after receiving an application for abatement, the city auditor or the  
20          township clerk shall give the applicant a notice of a hearing to be held before the  
21          governing body of the city or township, or such other committee as it may designate, in  
22          which the assessed property is located. ~~Said~~The hearing must be set for no more than  
23          sixty days after the date of the notice of hearing, and in any event, must be held  
24          before the recommendations provided for in subsection 2 are made. The applicant  
25          may waive, in writing, the hearing before ~~such~~the governing body or designated  
26          committee at any time before the hearing. Any recommendations provided for in  
27          subsection 2 must be transmitted to the county auditor no more than thirty days after  
28          the date set for the hearing. ~~The provisions of this subsection do not apply to~~  
29          ~~applications for abatement pursuant to section 57-02-08.2.~~

30          **SECTION 9. AMENDMENT.** Section 57-55-10 of the North Dakota Century Code is  
31          amended and reenacted as follows:

1       **57-55-10. Exemptions - Exceptions.**

2       1. A mobile home described in this subsection to the extent herein limited is exempt from  
3       taxation under this chapter; provided, that the mobile home shall have a tax permit as  
4       provided in section 57-55-06:

5       a. If it is owned and used as living quarters of a military ~~person~~individual on active  
6       military duty in this state who is a resident of another state.

7       b. If it is owned and occupied by a welfare recipient, provided the mobile home is  
8       not permanently attached to the land and classified as real property. For the  
9       purposes of this subdivision, "welfare recipient" means any ~~person~~individual who  
10      is certified to the county director of tax equalization by the human service zone as  
11      receiving the major portion of income from any state or federal public assistance  
12      program.

13      ~~c. If it is owned and used as living quarters by a disabled veteran or unremarried~~  
14      ~~surviving spouse who meets the requirements of subsection 20 of section~~  
15      ~~57-02-08 or section 57-02-08.8.~~

16      ~~d.~~ If it is owned and used as living quarters by a permanently and totally disabled  
17      ~~person~~individual or unremarried surviving spouse who meets the requirements of  
18      subsection 20 of section 57-02-08.

19      ~~e.d.~~ If it is owned and used as the living quarters for a blind ~~person~~individual who  
20      meets the requirements of subsection 22 of section 57-02-08.

21      ~~f.e.~~ If it is owned and used by a ~~person~~an individual who uses it as living quarters  
22      ~~and who~~ qualifies for the homestead primary residence credit provided in section  
23      ~~57-02-08.157-02-08.9~~, and the mobile home shall be regarded for the purposes  
24      of this exemption as the homestead primary residence of the ~~person~~individual  
25      claiming the exemption.

26      2. This chapter does not apply to a mobile home that:

27      a. Is used only for the temporary living quarters of the owner or other occupant  
28      while the ~~person~~individual is engaged in recreational or vacation activities,  
29      provided the unit:

30      (1) Displays a current travel trailer license; or

1           (2) Is a park model trailer that is used only for seasonal or recreational living  
2           quarters and not as a primary residence, and which is located in a trailer  
3           park or campground, and for which the owner has paid a park model trailer  
4           fee under section 39-18-03.2. For purposes of this paragraph, "park model"  
5           trailer means a recreational vehicle not exceeding forty feet [12.19 meters]  
6           in length which is primarily designed to provide temporary living quarters for  
7           recreation, camping, or seasonal use, is built on a single chassis, is  
8           mounted on wheels, has a gross trailer area not exceeding four hundred  
9           square feet [37.16 square meters] of enclosed living space in the setup  
10          mode, and is certified by the manufacturer as complying with American  
11          national standards institute standard A119.5.

- 12          b. Qualifies as a farm residence as described by subsection 15 of section 57-02-08,  
13          provided ~~such~~the mobile home is permanently attached to a foundation.
- 14          c. Is permanently attached to a foundation and is assessed as real property,  
15          provided the owner of ~~such~~the mobile home also owns the land on which ~~such~~the  
16          mobile home is located or is in possession of the real property under the terms of  
17          a lease in recordable form which has a term that continues for at least twenty  
18          years after the date of execution with the consent of the lessor of the real  
19          property.
- 20          d. Is owned by a licensed mobile home dealer who holds ~~such~~the mobile home  
21          solely for the purpose of resale, and provided that ~~such~~the mobile home is not  
22          used as living quarters or as the place for the conducting of any business.

23          **SECTION 10. REPEAL.** Sections 57-02-08.1, 57-02-08.2, and 57-02-08.8 of the North  
24          Dakota Century Code are repealed.

25          **SECTION 11. EFFECTIVE DATE.** Sections 3, 4, 5, 7, 9, and 10 of this Act are effective for  
26          taxable years beginning after December 31, 2024. Section 6 of this Act becomes effective on  
27          June 1, 2025.

28          **SECTION 12. EMERGENCY.** Sections 5 and 6 of this Act are declared to be an emergency  
29          measure.