

**SENATE BILL NO.**

Introduced by

Senator Robinson

1 A BILL for an Act to amend and reenact subsections 35 and 36 of section 57-02-08 of the North  
2 Dakota Century Code, relating to property tax exemptions for new construction; and to provide  
3 an effective date.

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

5 **SECTION 1. AMENDMENT.** Subsections 35 and 36 of section 57-02-08 of the North  
6 Dakota Century Code are amended and reenacted as follows:

7 35. Up to ~~seventy-five~~ one hundred fifty thousand dollars of the true and full value of all  
8 new single-family residential property, exclusive of the land on which it is situated,  
9 is exempt from taxation for the first ~~two~~ five taxable years after the taxable year in  
10 which construction is begun if all of the following conditions are met:

11 a. The governing body of the city, for property within city limits, or the governing  
12 body of the county, for property outside city limits, has approved the  
13 exemption of the property by resolution. A resolution adopted under this  
14 subsection may be rescinded or amended at any time. The governing body of  
15 the city or county may limit or impose conditions upon exemptions under this  
16 subsection, including limitations on the time during which an exemption is  
17 allowed.

18 b. Special assessments and taxes on the property upon which the residence is  
19 situated are not delinquent.

20 c. The first owner after the builder resides on the property, or the builder still  
21 owns the property. For purposes of this subsection, "builder" includes a  
22 person who builds that person's own residence.

23 For purposes of this subsection, "single-family residential property" does not  
24 include condominium or townhouse property.

- 1           36.   Up to ~~seventy-five~~ one hundred fifty thousand dollars of the true and full value of  
2                   each unit of all new condominium and townhouse residential property, exclusive of  
3                   the land on which it is situated, is exempt from taxation for the first ~~two~~ five taxable  
4                   years after the taxable year in which construction is begun if all of the following  
5                   conditions are met:
- 6                   a.   The governing body of the city, for property within city limits, or the governing  
7                   body of the county, for property outside city limits, has approved the  
8                   exemption of the property by resolution. A resolution adopted under this  
9                   subsection may be rescinded or amended at any time. The governing body of  
10                  the city or county may limit or impose conditions upon exemptions under this  
11                  subsection, including limitations on the time during which an exemption is  
12                  allowed.
- 13                  b.   Special assessments and taxes on the property upon which the condominium  
14                  or townhouse is situated are not delinquent.
- 15                  c.   The first owner, after the builder, who resides in the condominium or  
16                  townhouse unit still owns the property.

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