

Introduced by

Senators Lee, Hogan, Patten

Representatives Bosch, Boschee, Dockter

1 | A BILL for an Act to amend and reenact ~~subdivision c of~~ subsection 1 of section 57-02-08.1 of
2 | the North Dakota Century Code, relating to the homestead tax credit; and to provide an effective
3 | date.

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

5 | ~~**SECTION 1. AMENDMENT.** Subdivision c of subsection 1 of section 57-02-08.1 of the~~
6 | ~~North Dakota Century Code is amended and reenacted as follows:~~

7 | ~~c. The exemption must be determined according to the following schedule:~~

8 | ~~(1) If the person's income is not in excess of twenty-two thousand dollars, a~~
9 | ~~reduction of one hundred percent of the taxable valuation of the person's~~
10 | ~~homestead up to a maximum reduction of five thousand six hundred~~
11 | ~~twenty-five nine thousand dollars of taxable valuation.~~

12 | ~~(2) If the person's income is in excess of twenty-two thousand dollars and not in~~
13 | ~~excess of twenty-six thousand dollars, a reduction of eighty percent of the~~
14 | ~~taxable valuation of the person's homestead up to a maximum reduction of~~
15 | ~~four thousand five hundred seven thousand two hundred dollars of taxable~~
16 | ~~valuation.~~

17 | ~~(3) If the person's income is in excess of twenty-six thousand dollars and not in~~
18 | ~~excess of thirty thousand dollars, a reduction of sixty percent of the taxable~~
19 | ~~valuation of the person's homestead up to a maximum reduction of three~~
20 | ~~thousand three hundred seventy-five five thousand four hundred dollars of~~
21 | ~~taxable valuation.~~

22 | ~~(4) If the person's income is in excess of thirty thousand dollars and not in~~
23 | ~~excess of thirty-four thousand dollars, a reduction of forty percent of the~~
24 | ~~taxable valuation of the person's homestead up to a maximum reduction of~~

~~two thousand two hundred fiftythree thousand six hundred dollars of taxable valuation.~~

~~(5) If the person's income is in excess of thirty four thousand dollars and not in excess of thirty eight thousand dollars, a reduction of twenty percent of the taxable valuation of the person's homestead up to a maximum reduction of one thousand one hundred twenty fiveone thousand eight hundred dollars of taxable valuation.~~

~~(6) If the person's income is in excess of thirty eight thousand dollars and not in excess of forty two thousand dollars, a reduction of ten percent of the taxable valuation of the person's homestead up to a maximum reduction of five hundred sixty threenine hundred dollars of taxable valuation.~~

SECTION 1. AMENDMENT. Subsection 1 of section 57-02-08.1 of the North Dakota Century Code is amended and reenacted as follows:

1. a. Any person sixty-five years of age or older or permanently and totally disabled, in the year in which the tax was levied, with an income that does not exceed the limitations of subdivision c is entitled to receive a reduction in the assessment on the taxable valuation on the person's homestead. An exemption under this subsection applies regardless of whether the person is the head of a family.

b. The exemption under this subsection continues to apply if the person does not reside in the homestead and the person's absence is due to confinement in a nursing home, hospital, or other care facility, for as long as the portion of the homestead previously occupied by the person is not rented to another person.

c. ~~The exemption must be determined according to the following schedule:~~

~~(1) If the person's income is not in excess of twenty-two~~ one hundred thousand dollars, the exemption must be determined as a reduction of one hundred percent of the taxable valuation of the person's homestead up to a maximum reduction of fivenine thousand ~~six hundred twenty-five~~ dollars of taxable valuation.

~~(2) If the person's income is in excess of twenty-two thousand dollars and not in excess of twenty-six thousand dollars, a reduction of eighty percent of the~~

1 ~~taxable valuation of the person's homestead up to a maximum reduction of~~
2 ~~four thousand five hundred dollars of taxable valuation.~~

3 ~~(3) If the person's income is in excess of twenty-six thousand dollars and not in~~
4 ~~excess of thirty thousand dollars, a reduction of sixty percent of the taxable~~
5 ~~valuation of the person's homestead up to a maximum reduction of three~~
6 ~~thousand three hundred seventy-five dollars of taxable valuation.~~

7 ~~(4) If the person's income is in excess of thirty thousand dollars and not in~~
8 ~~excess of thirty-four thousand dollars, a reduction of forty percent of the~~
9 ~~taxable valuation of the person's homestead up to a maximum reduction of~~
10 ~~two thousand two hundred fifty dollars of taxable valuation.~~

11 ~~(5) If the person's income is in excess of thirty-four thousand dollars and not in~~
12 ~~excess of thirty-eight thousand dollars, a reduction of twenty percent of the~~
13 ~~taxable valuation of the person's homestead up to a maximum reduction of~~
14 ~~one thousand one hundred twenty-five dollars of taxable valuation.~~

15 ~~(6) If the person's income is in excess of thirty-eight thousand dollars and not in~~
16 ~~excess of forty-two thousand dollars, a reduction of ten percent of the~~
17 ~~taxable valuation of the person's homestead up to a maximum reduction of~~
18 ~~five hundred sixty-three dollars of taxable valuation.~~

19 d. Persons residing together, as spouses or when one or more is a dependent of
20 another, are entitled to only one exemption between or among them under this
21 subsection. Persons residing together, who are not spouses or dependents, who
22 are co-owners of the property are each entitled to a percentage of a full
23 exemption under this subsection equal to their ownership interests in the
24 property.

25 e. This subsection does not reduce the liability of any person for special
26 assessments levied upon any property.

27 f. Any person claiming the exemption under this subsection shall sign a verified
28 statement of facts establishing the person's eligibility. Any income information
29 contained in the statement of facts is a confidential record.

30 g. ~~A person is ineligible for the exemption under this subsection if the value of the~~
31 ~~assets of the person and any dependent residing with the person exceeds five~~

~~hundred thousand dollars, including the value of any assets divested within the last three years.~~

~~h.~~ The assessor shall attach the statement filed under subdivision f to the assessment sheet and shall show the reduction on the assessment sheet.

~~i.~~ An exemption under this subsection terminates at the end of the taxable year of the death of the applicant.

i. A person who is eligible for an exemption under this subsection is eligible to receive a full or partial exemption under this subsection based on the date of submission of the verified statement of facts required under subdivision f. If the person submits the verified statement of facts:

(1) By February first of the current taxable year, the person is eligible for the full exemption under this subsection.

(2) After February first of the current taxable year and no later than November fifth of the current taxable year, the person is eligible to receive a pro rata share of the exemption under this subsection. To claim a pro rata share of the exemption under this subsection, the person shall submit the verified statement of facts by the fifth day of the month preceding the first full month of the prorated exemption. The tax commissioner shall calculate the pro rata share of the exemption based on the number of months remaining in the taxable year, beginning the month after the verified statement of facts is timely submitted.

SECTION 2. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 2022.