

**HOUSE BILL NO. 1438**

Introduced by

Representatives Bellew, Nelson, Sanford, Strinden, Vigesaa

Senator Estenson

1 A BILL for an Act to amend and reenact subsection 8 of section 57-02-08 of the North Dakota  
2 Century Code, relating to a property tax exemption for buildings and land belonging to  
3 institutions of public charity; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Subsection 8 of section 57-02-08 of the North Dakota Century  
6 Code is amended and reenacted as follows:

7 8. ~~All buildings~~Buildings and land belonging to institutions of public charity, including  
8 public hospitals and nursing homes licensed pursuant to section 23-16-01 under the  
9 control of religious or charitable institutions, as provided in this subsection. The  
10 exemption under this subsection includes:

11 a. Buildings used wholly or in part for public charity, together with the land actually  
12 occupied by ~~such~~the institutions not leased or otherwise used with a view to  
13 profit. ~~The exemption provided by this subsection includes any~~

14 b. Up to fifty acres of undeveloped land owned by ~~an institution of public charity~~  
15 public hospital or nursing home licensed pursuant to section 23-16-01 under the  
16 control of a religious or charitable institution for the purpose of a future building  
17 belonging to the ~~institution~~public hospital or nursing home. The exemption under  
18 this subdivision expires ten years after the taxable year in which the property was  
19 acquired by the ~~institution~~public hospital or nursing home if construction  
20 improvements to accommodate a building belonging to the ~~institution~~public  
21 hospital or nursing home have not commenced. For purposes of this subdivision,  
22 "undeveloped land" includes land undergoing construction or containing  
23 improvements to accommodate a building belonging to ~~an institution of public~~  
24 charity a public hospital or nursing home licensed pursuant to section 23-16-01

1 | under the control of a religious or charitable institution before the building is  
2 | completed and suitable for use.

3 | c. A dormitory, dwelling, or residential-type structure, together with necessary land  
4 | on which such structure is located, owned by a religious or charitable  
5 | organization recognized as tax exempt under section 501(c)(3) of the United  
6 | States Internal Revenue Code which is occupied by members of said  
7 | organization who are subject to a religious vow of poverty and devote and donate  
8 | substantially all of their time to the religious or charitable activities of the owner.

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