

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1438
(Representatives Bellew, Nelson, Sanford, Strinden, Vigasaa)
(Senator Estenson)

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

8. ~~All buildings~~Buildings and land belonging to institutions of public charity, including public hospitals and nursing homes licensed pursuant to section 23-16-01 under the control of religious or charitable institutions, as provided in this subsection. The exemption under this subsection includes:
 - a. ~~Buildings~~ used wholly or in part for public charity, together with the land actually occupied by ~~such~~the institutions not leased or otherwise used with a view to profit. ~~The exemption provided by this subsection includes any~~
 - b. Up to fifty acres of undeveloped land owned by a public hospital or nursing home licensed pursuant to section 23-16-01 under the control of a religious or charitable institution for the purpose of a future building belonging to the public hospital or nursing home. The exemption under this subdivision expires ten years after the taxable year in which the property was acquired by the public hospital or nursing home if construction improvements to accommodate a building belonging to the public hospital or nursing home have not commenced. For purposes of this subdivision, "undeveloped land" includes land undergoing construction or containing improvements to accommodate a building belonging to a public hospital or nursing home licensed pursuant to section 23-16-01 under the control of a religious or charitable institution before the building is completed and suitable for use.
 - c. A dormitory, dwelling, or residential-type structure, together with necessary land on which such structure is located, owned by a religious or charitable organization recognized as tax exempt under section 501(c)(3) of the United States Internal Revenue Code which is occupied by members of said organization who are subject to a religious vow of poverty and devote and donate substantially all of their time to the religious or charitable activities of the owner.

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

Dennis Johnson
Speaker of the House

Tammy Miller
President of the Senate

Bull J. Reick
Chief Clerk of the House

Shanda Moyer
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1438.

House Vote: Yeas 87 Nays 5 Absent 2

Senate Vote: Yeas 46 Nays 0 Absent 1

Bull J. Reick
Chief Clerk of the House

Received by the Governor at 10:30 AM on April 25, 2023.

Approved at 10:50 AM on April 26, 2023.

Doug Burgum
Governor

Filed in this office this 26 day of April, 2023,

at 11:50 o'clock A M.

Michael Howe
Secretary of State