

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 735
HOUSE BILL 1211

AN ACT TO AMEND G.S. 105-285 AND G.S. 105-304 TO MAKE CLEAR WHEN AND WHERE CERTAIN TANGIBLE PERSONAL PROPERTY IS TO BE LISTED FOR TAXATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-285 is rewritten to read as follows:

"§ 105-285. **Date as of which property is to be listed and appraised.** — (a) Annual listing required. All property subject to ad valorem taxation shall be listed annually.

(b) Personal property; general rule. Except as provided in subsection (c) below, the value, ownership, and place of taxation of personal property, both tangible and intangible, shall be determined annually as of January 1.

(c) Business inventories. The value, ownership, and place of taxation of inventories held and used in connection with the mercantile manufacturing, processing, or producing business enterprise of a taxpayer having a place of business in this State, whose fiscal year closes at a date other than December 31, shall be determined annually as of the ending date of the taxpayer's latest completed fiscal year. However, if with respect to any business enterprise or any new or additional business location a taxpayer has not completed a fiscal year as of January 1, the value, ownership, and place of taxation of inventories held and used in connection with the taxpayer's new business enterprise or new or additional business location shall be determined as of January 1.

For purposes of this section, the word 'inventories' means goods held for sale in the regular course of business, raw materials, and goods in process of manufacture or processing; it also means other goods and materials that are used or consumed in manufacture or processing or that accompany and are sold with the goods manufactured or processed.

(d) Real property. The value of real property shall be determined as of January 1 of the years prescribed by G.S. 105-286 and G.S. 105-287. The ownership of real property shall be determined annually as of January 1, except in the following situation: When any real property is acquired after January 1, but prior to July 1, and the property was not subject to taxation on January 1 on account of its exempt status, it shall be listed for taxation by the transferee as of the date of acquisition and shall be appraised in accordance with its true value as of January 1 preceding the date of acquisition; and the property shall be taxed for the fiscal year of the taxing unit beginning on July 1 of the year in which it is acquired. The person in whose name such property is listed shall have the right to appeal the listing, appraisal, and assessment of the property in the same manner as that provided for listings made as of January 1.

In the event real property exempt as of January 1 is, prior to July 1, acquired from a governmental unit that by contract is making payments in lieu of taxes to the taxing unit for the fiscal period beginning July 1 of the year in which the property is acquired, the tax on such property for the fiscal period beginning on July 1 immediately following acquisition shall be one half of the amount of the tax that would have been imposed if the property had been listed for taxation as of January 1."

Sec. 2. This act shall become effective on January 1, 1974.

In the General Assembly read three times and ratified, this the 23rd day of May, 1973.