

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 486
SENATE BILL 547

AN ACT TO CONFORM THE REPLACEMENT PERIOD FOR INVOLUNTARILY CONVERTED REAL PROPERTY HELD FOR PRODUCTIVE USE OR INVESTMENT, FOR STATE INCOME TAX PURPOSES, TO THAT PROVIDED FOR FEDERAL INCOME TAX PURPOSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-144.1(a)(2)b. is amended, by rewriting the same, to read as follows:

"b. The period referred to in subparagraph a. shall be the period beginning with the date of the disposition of the converted property, or the earliest date of the threat or imminence of requisition or condemnation of the converted property, whichever is the earlier, and end:

1. Two years after the close of the first taxable year in which any part of the gain upon the conversion is realized, or
2. Subject to such terms and conditions as may be specified by the Secretary of Revenue, at the close of such later date as the Secretary of Revenue may designate on application by the taxpayer. Such application shall be made at such time and in such manner as the Secretary of Revenue may prescribe.
3. In the case of involuntary conversion of real property held for productive use in a trade or business or for investment, paragraph 1. of subdivision (a)(2)b. of the section shall be applied by substituting 'Three years' for 'Two years'."

Sec. 2. This act shall become effective with respect to taxable years beginning on and after January 1, 1977.

In the General Assembly read three times and ratified, this the 7th day of June, 1977.