

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 869*

Short Title: Use Value Rollback Modified.

(Public)

Sponsors: Representatives Insko and Hackney.

Referred to: Finance.

April 1, 1999

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE ROLLBACK OF DEFERRED TAXES WHEN USE
VALUE PROPERTY IS TRANSFERRED BETWEEN FARMERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-277.3(b2) reads as rewritten:

"(b2) Exception to Ownership Requirements. — ~~G.S. 105-277.4(e) provides that deferred taxes are payable if land fails to meet any condition or requirement for classification. Accordingly, Notwithstanding the provisions of G.S. 105-277.4(c) and of this section, if land fails to meet an ownership requirement due to a change of ownership, G.S. 105-277.4(e) applies. Despite this failure and the resulting liability for taxes under G.S. 105-277.4(e), the land may qualify for classification in the hands of the new owner and no deferred taxes are payable under G.S. 105-277.4(c), if both of the following conditions are met, even if the new owner does not meet all of the ownership requirements of subsections (b) and (b1) of this section with respect to the land: met:~~

(1) The land was appraised at its present use value or was eligible for appraisal at its present use value at the time title to the land passed to the new owner.

(2) At the time title to the land passed to the new owner, the owner owned other land classified under subsection (a)."

1 Section 2. This act is effective for taxes imposed for taxable years beginning
2 on or after July 1, 1999.