

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH60344-LY-86 (3/26)

Short Title: Brownfields - Property Tax Exclusion. (Public)

Sponsors: Representatives Carney and McComas (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE A PROPERTY TAX EXCLUSION FOR BROWNFIELDS
PROPERTY OWNED AND REHABILITATED BY A COMMUNITY
DEVELOPMENT CORPORATION.

The General Assembly of North Carolina enacts:

SECTION 1. Article 12 of Chapter 105 of the General Statutes is amended
by adding a new section to read:

**"§ 105-277.14. Taxation of brownfields property owned by a community
development corporation.**

(a) Brownfields properties owned by community development corporations are designated a special class of property under Section 2(2) of Article V of the North Carolina Constitution and shall be appraised, assessed, and taxed in accordance with this section. A community development corporation that owns brownfields property is entitled to the exclusion provided by this section for the first 10 taxable years beginning after the property becomes subject to a brownfields agreement under G.S. 130A-310.32. After property has qualified for the exclusion provided by this section, the assessor for the county in which the property is located shall annually appraise the property during the period of time that the owner is entitled to the exclusion.

(b) For the purposes of this section, the term 'brownfields property' has the same meaning as under G.S. 130A-310.31, and the term 'community development corporation' has the same meaning as under G.S. 105-129.13.

(c) If the community development corporation transfers the property to a new owner during the first five years for which it is eligible for an exclusion under this section, the exclusion provided under G.S. 105-277.13 applies as if the new owner had entered into the brownfields agreement with the Department of Environment and Natural Resources.

1 (d) The following table establishes the percentage of the appraised value of the
2 brownfields property that is excluded based on the taxable year:

<u>Year</u>	<u>Percent of Appraised Value Excluded</u>
<u>Years 1-5</u>	<u>100%</u>
<u>Year 6</u>	<u>90%</u>
<u>Year 7</u>	<u>75%</u>
<u>Year 8</u>	<u>50%</u>
<u>Year 9</u>	<u>30%</u>
<u>Year 10</u>	<u>10%".</u>

10 **SECTION 2.** This act is effective for taxes imposed for taxable years
11 beginning on or after July 1, 2004.