

May 22, 2008

H 2476. PROPERTY TAX MODIFICATIONS. Filed 5/21/08/08. *TO MODIFY THE SCHEDULE FOR GENERAL REAPPRAISALS OF REAL PROPERTY IN THE STATE TO REDUCE THE DISCREPANCY BETWEEN THE PROPERTY TAX VALUE OF PROPERTY AND ITS MARKET VALUE, TO TREAT MOBILE HOMES THE SAME AS OTHER HOMES WITH RESPECT TO PROPERTY TAX LIENS, TO MODIFY THE OWNERSHIP REQUIREMENTS OF PRESENT-USE VALUE PROPERTY TO REFLECT COMMON FORMS OF LAND OWNERSHIP, AND TO ALLOW PROPERTY TO REMAIN IN PRESENT-USE VALUE WHEN THE DEFERRED TAXES ARE PAID AT THE TIME OF TRANSFER AND THE NEW OWNER CONTINUES TO FARM THE PROPERTY.*

General reappraisals of real property. Effective July 1, 2011, amends GS 105-286 to require counties to reappraise real property for property tax purposes at least every four years (was, eight years). The new timetable is phased in pursuant to a schedule set out in the statute. As under current law, a county may conduct a reappraisal earlier than the year required by law. Also eliminates the fourth-year horizontal adjustments in GS 105-286(b). Makes conforming and technical changes to GS 105-282.1(e), 105-284(b), 105-287, 105-296, and 153A-150.

Mobile home liens. Effective beginning with the 2009-10 property tax year, amends GS 105-355 to provide that if a mobile home is listed for property taxes as personal property, the lien for taxes attaches as of the listing date both to the mobile home and to all real property of the taxpayer within the same taxing unit.

Present-use value property tax changes. Amends GS 105-277.2 to modify the definition of *individually owned* as applied in the present-use value property tax statutes by (1) deleting the term *owned by a natural person* and replacing it with *owned by an individual*, (2) including certain trusts and other business entities as members of a business entity, (3) providing that a trust may have a business entity as a beneficiary if the members of the business entity are individuals who create the trust or who are relatives of the creator, and (4) providing that a tenant in common may be a trust in addition to an individual or business entity.

Amends GS 105-277.3 to clarify that the exceptions to ownership requirements in subsection (b2) apply even if the former owner pays the deferred taxes. Makes conforming changes.

Effective for taxes imposed for taxable years beginning on or after July 1, 2008. Provides that notwithstanding GS 105-277.4(a), an application submitted for the 2008-09 tax year for the classification of land owned by a business entity or trust is considered timely if it is filed by September 1, 2008.

Intro. by Brubaker, Hill.

GS 105, 153A