

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

FILED SENATE
Feb 9, 2023
S.B. 92
PRINCIPAL CLERK

S

D

SENATE BILL DRS35039-NIF-32

Short Title: Expand Circuit Breaker Property Tax Benefit. (Public)

Sponsors: Senators Mayfield, Murdock, and Salvador (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE PROPERTY TAX HOMESTEAD CIRCUIT BREAKER.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 105-277.1B reads as rewritten:

5 "**§ 105-277.1B. Property tax homestead circuit breaker.**

6 ...
7 (c) Income Eligibility Limit. – The income eligibility limit provided in
8 G.S. 105-277.1(a2) applies to this section.

9 (d) Qualifying Owner. – For the purpose of qualifying for the property tax homestead
10 circuit breaker under this section, a qualifying owner is an owner who meets all of the following
11 requirements as of January 1 preceding the taxable year for which the benefit is claimed:

12 (1) The owner has an income for the preceding calendar year of not more than
13 one hundred fifty percent (150%) of the income eligibility limit specified in
14 subsection (c) of this section.

15 (2) The owner has owned the property as a permanent residence for at least five
16 consecutive years and has occupied the property as a permanent residence for
17 at least five years. A subsequent owner may count the ownership and
18 occupancy of the previous owner for purposes of meeting the requirements of
19 this subdivision if the subsequent owner either (i) is the surviving spouse of
20 the previous owner and has not remarried or (ii) inherits the property at the
21 death of the previous owner and continues to use the property as a permanent
22 residence.

23 ~~(3) The owner is at least 65 years of age or totally and permanently disabled.~~

24 (4) The owner is a North Carolina resident.

25 (e) Multiple Owners. – A permanent residence owned and occupied by husband and wife
26 is entitled to the full benefit of the property tax homestead circuit breaker notwithstanding that
27 only one of them meets the length of occupancy and ownership requirements ~~and the age or~~
28 ~~disability requirement~~ of this section. When a permanent residence is owned and occupied by
29 two or more persons other than husband and wife, no property tax homestead circuit breaker is
30 allowed unless all of the owners qualify and elect to defer taxes under this section.

31"

32 **SECTION 2.** This act is effective for taxes imposed for taxable years beginning on
33 or after July 1, 2023.



* D R S 3 5 0 3 9 - N I F - 3 2 *