

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 232
Committee Substitute Favorable 5/9/91

Short Title: No Tax Rollback on Condemnation.

(Public)

Sponsors:

Referred to:

March 11, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT NO DEFERRED TAXES ARE DUE WHEN
3 PROPERTY TAXED AT PRESENT-USE VALUE IS TRANSFERRED
4 BECAUSE OF CONDEMNATION OR IMPENDING CONDEMNATION.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 105-277.4(d) reads as rewritten:

7 "(d) Notwithstanding the provisions of subsection (c), if ~~a farm-unit property~~ loses
8 its eligibility for present use value treatment classification solely due to one of the
9 following reasons, no deferred taxes are due and the lien for the deferred taxes is
10 extinguished:

11 (1) A a-change in income caused by enrollment of land in the federal
12 Conservation Reserve Program authorized by Title XII of the Food
13 Security Act of 1985 (Pub. L. 99-198), as amended, no deferred taxes
14 shall be owed and all present use value tax liens shall be extinguished.
15 the property in the federal conservation reserve program established
16 under 16 U.S.C. Chapter 58.

17 (2) A change in ownership due to either of the following:

18 a. Conveyance of the property to a person who would acquire it by
19 condemnation if it were not conveyed to that person.

20 b. Condemnation of the property."

21 Sec. 2. This act is effective upon ratification.