

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 93

Short Title: Business Entity Changes. (Public)

Sponsors: Senators Hartsell, Clodfelter, Tillman; Daniel, East, Jenkins, Jones, and Stein.

Referred to: Finance.

February 22, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO REVISE THE BUSINESS ENTITY OWNERSHIP REQUIREMENTS OF
3 LAND AT PRESENT-USE VALUE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 105-277.3(b1) reads as rewritten:

6 "**§ 105-277.3. Agricultural, horticultural, and forestland – Classifications.**

7 ...
8 (b1) **(Effective for taxes imposed for taxable years beginning on or after July 1,**
9 **2008)** Entity Ownership Requirements. – In order to come within a classification described in
10 subsection (a) of this section, land owned by a business entity ~~or trust must have been owned~~
11 ~~by the business entity or trust or by one or more of its members or creators, respectively, must~~
12 meet the requirements of subdivision (1) of this subsection and land owned by a trust must
13 meet the requirements of subdivision (2) of this subsection.

14 (1) Land owned by a business entity must have been owned by one or more of
15 the following for the four years immediately preceding January 1 of the year
16 for which the benefit of this section is claimed:

17 a. The business entity.

18 b. A member of the business entity.

19 c. Another business entity whose members include a member of the
20 business entity that currently owns the land.

21 (2) Land owned by a trust must have been owned by the trust or by one or more
22 of its creators for the four years immediately preceding January 1 of the year
23 for which the benefit of this section is claimed."

24 **SECTION 2.** This act is effective for taxable years beginning on or after July 1,
25 2011. An application for property tax relief provided by this act may be filed and must be
26 accepted at any time up to and through September 1 for the July 1, 2011, taxable year.

