

**HOUSE BILL NO. 1438**  
**with Senate Amendments**  
**HOUSE BILL NO. 1438**

Introduced by

Representatives Bellew, Nelson, Sanford, Strinden, Vigasaa

Senator Estenson

1 A BILL for an Act to amend and reenact subsection 8 of section 57-02-08 of the North Dakota  
2 Century Code, relating to a property tax exemption for buildings and land belonging to  
3 institutions of public charity; and to provide an effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 8 of section 57-02-08 of the North Dakota Century  
6 Code is amended and reenacted as follows:

7 8. ~~All buildings~~Buildings and land belonging to institutions of public charity, including  
8 public hospitals and nursing homes licensed pursuant to section 23-16-01 under the  
9 control of religious or charitable institutions, as provided in this subsection. The  
10 exemption under this subsection includes:

11 a. Buildings used wholly or in part for public charity, together with the land actually  
12 occupied by ~~such~~the institutions not leased or otherwise used with a view to  
13 profit. ~~The exemption provided by this subsection includes any~~

14 b. Up to fifty acres of undeveloped land owned by a public hospital or nursing home  
15 licensed pursuant to section 23-16-01 under the control of a religious or  
16 charitable institution for the purpose of a future building belonging to the public  
17 hospital or nursing home. The exemption under this subdivision expires ten years  
18 after the taxable year in which the property was acquired by the public hospital or  
19 nursing home if construction improvements to accommodate a building belonging  
20 to the public hospital or nursing home have not commenced. For purposes of this  
21 subdivision, "undeveloped land" includes land undergoing construction or  
22 containing improvements to accommodate a building belonging to a public  
23 hospital or nursing home licensed pursuant to section 23-16-01 under the control

1                   of a religious or charitable institution before the building is completed and suitable  
2                   for use.

3            c.    A dormitory, dwelling, or residential-type structure, together with necessary land  
4                   on which such structure is located, owned by a religious or charitable  
5                   organization recognized as tax exempt under section 501(c)(3) of the United  
6                   States Internal Revenue Code which is occupied by members of said  
7                   organization who are subject to a religious vow of poverty and devote and donate  
8                   substantially all of their time to the religious or charitable activities of the owner.

9            **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after  
10   December 31, 2022.