

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE BILL 123

Short Title: Business Entity Changes. (Public)

Sponsors: Representatives Howard, Brubaker, Luebke, and Hill (Primary Sponsors).  
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Finance.

February 17, 2011

A BILL TO BE ENTITLED

AN ACT TO REVISE THE BUSINESS ENTITY OWNERSHIP REQUIREMENTS OF  
LAND AT PRESENT-USE VALUE.

The General Assembly of North Carolina enacts:

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

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

...

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

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

a. The business entity.

b. A member of the business entity.

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

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

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

