

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 92

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

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

Referred to: Rules and Operations of the Senate

February 13, 2023

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A BILL TO BE ENTITLED

AN ACT TO MODIFY THE PROPERTY TAX HOMESTEAD CIRCUIT BREAKER.

The General Assembly of North Carolina enacts:

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

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

...

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

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

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

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

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

(4) The owner is a North Carolina resident.

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

...."

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

