

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

FILED SENATE  
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S.B. 92  
PRINCIPAL CLERK

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SENATE BILL DRS35039-NIF-32

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

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

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY THE PROPERTY TAX HOMESTEAD CIRCUIT BREAKER.  
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 105-277.1B reads as rewritten:  
5 "**§ 105-277.1B. Property tax homestead circuit breaker.**

6 ...  
7 (c) Income Eligibility Limit. – The income eligibility limit provided in  
8 G.S. 105-277.1(a2) applies to this section.

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

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

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

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

24 (4) The owner is a North Carolina resident.

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

31 ...."

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



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