

**FIRST ENGROSSMENT
with House Amendments**

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2072

Introduced by

Finance and Taxation Committee

(At the request of the Tax Commissioner)

1 A BILL for an Act to create and enact a new subsection to section 57-40.2-02 of the North
2 Dakota Century Code, relating to the imposition of a use tax on natural gas; to amend and
3 reenact subsection 6 of section 57-39.2-04 and section 57-40.3-05 of the North Dakota Century
4 Code, relating to a sales tax exemption for a political subdivision of another state and the
5 requirement for a seller's certificate under the motor vehicle excise tax; and to repeal sections
6 57-37.1-12, 57-37.1-13, 57-37.1-14, and 57-40.3-05.1 of the North Dakota Century Code,
7 relating to inventory of safety deposit boxes upon the death of the lessor, the notice of transfer
8 of a decedent's assets, penalties for violating the duties of a depository, and the requirement of
9 a seller's certificate under the motor vehicle excise tax.

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

11 **SECTION 1. AMENDMENT.** Subsection 6 of section 57-39.2-04 of the 1995
12 Supplement to the North Dakota Century Code is amended and reenacted as follows:

13 6. Gross receipts from all sales otherwise taxable under this chapter made to the
14 United States or to any state, including the state of North Dakota, or any of the
15 subdivisions, departments, agencies, or institutions of any state. A political
16 subdivision of another state is exempt under this subsection only if ~~it is exempt~~
17 from sales tax in its home state a sale to a North Dakota political subdivision is
18 treated as an exempt sale in that state. The governmental units exempted by this
19 subsection must be issued a certificate of exemption by the commissioner and
20 ~~such~~ the certificate must be presented to each retailer whenever this exemption is
21 claimed.

22 **SECTION 2.** A new subsection to section 57-40.2-02.1 of the North Dakota Century
23 Code is created and enacted as follows:

1 An excise tax is imposed on the storage, use, or consumption in this state of
2 natural gas consumed by a final user at the rate of four percent from January 1,
3 1993, through December 31, 1993; three percent from January 1, 1994, through
4 December 31, 1994; and two percent after December 31, 1994, if sales tax has not
5 been applied as provided by section 57-39.2-03.6.

6 **SECTION 3. AMENDMENT.** Section 57-40.3-05 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **57-40.3-05. Purchaser to furnish motor vehicle purchaser's certificate to director**
9 **of the department of transportation.** Any person purchasing a motor vehicle and any person
10 acquiring a motor vehicle by way of gift from a husband or wife, parent or child, or from a
11 brother or sister shall complete a motor vehicle purchaser's certificate in such form and manner
12 as may be prescribed by the director of the department of transportation, showing a complete
13 description of the motor vehicle, the seller's name and address, the buyer's name and address,
14 the full purchase price of the vehicle, trade-in allowance and description of the trade-in, if any,
15 whether the vehicle was the subject of a gift, and any other information that the director of the
16 department of transportation may require. ~~If the motor vehicle was the subject of a sale, the~~
17 ~~purchaser must, upon request of the department of transportation, also attach to the motor~~
18 ~~vehicle purchaser's certificate a copy of the seller's certificate required under section~~
19 ~~57-40.3-05.1.~~

20 **SECTION 4. REPEAL.** Sections 57-37.1-13 and 57-37.1-14 of the North Dakota
21 Century Code and sections 57-37.1-12 and 57-40.3-05.1 of the 1995 Supplement to the North
22 Dakota Century Code are repealed.