

**HOUSE BILL NO. 1131**

Introduced by

Representative Haas

Senator Wardner

1 A BILL for an Act to create and enact a new section to chapter 57-40.3 of the North Dakota  
2 Century Code, relating to a motor vehicle excise tax refund for casual sales in an amount that  
3 would have been allowed if the motor vehicle was used as a trade-in on the purchase of a  
4 replacement vehicle; to provide a continuing appropriation; and to provide an effective date.

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

6 **SECTION 1.** A new section to chapter 57-40.3 of the North Dakota Century Code is  
7 created and enacted as follows:

8 **Trade-in refund for casual sales - Continuing appropriation.** If a person purchases  
9 a replacement motor vehicle and pays the tax under this chapter and, within thirty days before  
10 or after the date of that purchase, makes a casual sale of another motor vehicle which is also  
11 taxed under this chapter, that person is entitled to a refund equal to the taxes paid by that  
12 person on the purchased replacement motor vehicle or the taxes paid by the purchaser in the  
13 casual sale, whichever is less. To qualify for the refund, the person must file a refund claim  
14 with the director of the department of transportation in the form, and accompanied by evidence  
15 of entitlement to the refund, as required by the director. A claim for refund under this section  
16 must be filed within ninety days after the person is entitled to claim the refund. Upon approval  
17 of a refund claim under this section, the director of the department of transportation shall direct  
18 the state treasurer to issue the refund and the refunded amount is appropriated as a standing  
19 and continuing appropriation from the state general fund.

20 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable events occurring after  
21 June 30, 2001.