

HOUSE BILL NO. 1392

Introduced by

Representatives Monson, Herbel, R. Kelsch, Kingsbury

Senators Tallackson, Trenbeath

1 A BILL for an Act to amend and reenact subsection 4 of section 57-39.2-04 of the North Dakota
2 Century Code, relating to sales tax application to educational, religious, or charitable activities
3 held in a publicly owned facility; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Subsection 4 of section 57-39.2-04 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 4. Gross receipts from sales of tickets, or admissions to state, county, district, and
8 local fairs, and the gross receipts from educational, religious, or charitable
9 activities, unless the gross receipts from the event exceed five thousand dollars
10 and the activities are held in a publicly owned facility, when the entire amount of
11 net receipts is expended for educational, religious, or charitable purposes and the
12 gross receipts derived by any public school district if such receipts are expended in
13 accordance with section 15.1-07-12. This exemption does not apply to regular
14 retail sales that are in direct competition with retailers. Gross receipts from
15 educational, religious, or charitable activities held in a publicly owned facility are
16 exempt if the sponsoring organization is a nonprofit music or dramatic arts
17 organization that is exempt from federal income taxation and is organized and
18 operated for the presentation of live public performances of musical or theatrical
19 works on a regular basis.

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