

§6263. Extension of time for payment upon death of claimant or spouse

1. Payment extension. If the taxpayer who claimed homestead property tax deferral dies, or if a spouse who continued the deferral under section 6261 dies, the bureau may extend the time for payment of the deferred taxes and interest accruing with respect to the taxes becoming due and payable under section 6260, subsection 2, if:

A. The homestead property becomes property of an individual or individuals:

(1) By inheritance or devise; or

(2) If the individual or individuals are heirs or devisees in the course of settlement of the estate; [PL 1989, c. 534, Pt. C, §1 (NEW).]

B. An individual or individuals commence occupancy of the property as a principal residence within 12 months of the date of death; and [PL 2023, c. 441, Pt. B, §6 (AMD); PL 2023, c. 441, Pt. B, §7 (AFF).]

C. An individual or individuals make application to the bureau for an extension of time for payment of the deferred taxes and interest within 12 months of the date of death. [PL 2023, c. 441, Pt. B, §6 (AMD); PL 2023, c. 441, Pt. B, §7 (AFF).]

[PL 2023, c. 441, Pt. B, §6 (AMD); PL 2023, c. 441, Pt. B, §7 (AFF).]

2. Extension terms. Subject to paragraph B, an extension granted under subsection 1 must be for a period not to exceed 6 years from the date of death. The terms and conditions under which the extension is granted must be in accordance with a written agreement entered into by the bureau and the individual or individuals.

An extension granted under this section terminates immediately if:

A. The homestead property is sold or otherwise transferred by any party to the extension agreement; [PL 1989, c. 534, Pt. C, §1 (NEW).]

B. All of the heirs or devisees who are parties to the extension agreement cease to occupy the property as a principal residence; or [PL 1989, c. 534, Pt. C, §1 (NEW).]

C. The homestead property, a mobile or floating home, is moved out of the State. [PL 2023, c. 441, Pt. B, §6 (AMD); PL 2023, c. 441, Pt. B, §7 (AFF).]

[PL 2023, c. 441, Pt. B, §6 (AMD); PL 2023, c. 441, Pt. B, §7 (AFF).]

3. Accrued interest. During the period of extension, and until paid, the deferred taxes continue to accrue interest in the same manner and at the same rate as provided under section 6255, subsection 3. Interest may not accrue upon interest.

[PL 2023, c. 441, Pt. B, §6 (AMD); PL 2023, c. 441, Pt. B, §7 (AFF).]

SECTION HISTORY

PL 1989, c. 534, §C1 (NEW). PL 2023, c. 441, Pt. B, §6 (AMD). PL 2023, c. 441, Pt. B, §7 (AFF).

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