

Fifty-fifth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1240**

Introduced by

Representative Maragos

Senator Watne

1 A BILL for an Act to amend and reenact sections 40-49-21 and 40-49-22 and subsection 1 of  
2 section 57-15-12.2 of the North Dakota Century Code, relating to park district pension plans.

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

4 **SECTION 1. AMENDMENT.** Section 40-49-21 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **40-49-21. Park districts may provide for employees' pensions.** ~~The A board of~~  
7 ~~park commissioners of a park district in any city which has adopted an employees' pension~~  
8 ~~system pursuant to the provisions of chapter 40-46, may, with the consent of the governing~~  
9 ~~body of such city and the consent of not less than a majority of the city employees covered by~~  
10 ~~the provisions of such chapter, provide for employees' pensions pursuant to such chapter~~  
11 ~~40-46, and payments with the consent of the city governing body and the consent of not less~~  
12 ~~than a majority of the city employees covered by the provisions of that chapter, chapter 54-52,~~  
13 ~~or under a program approved by the internal revenue service. Payments made by employees~~  
14 ~~or taxes levied by such the park district shall must be paid into the employees' pension fund of~~  
15 ~~such city, and the benefits provided for the employees of such park district shall be the same as~~  
16 ~~provided for employees of such city.~~

17 **SECTION 2. AMENDMENT.** Section 40-49-22 of the North Dakota Century Code is  
18 amended and reenacted as follows:

19 **40-49-22. Tax levy for park district employees' pension fund.** ~~Any A~~ park district  
20 adopting the provisions of section 40-49-21 may levy a tax not exceeding the limitation in  
21 subsection 1 of section 57-15-12.2. The proceeds of the tax levy ~~shall~~ must be placed in the  
22 employees' pension fund ~~of the city.~~

23 **SECTION 3. AMENDMENT.** Subsection 1 of section 57-15-12.2 of the North Dakota  
24 Century Code is amended and reenacted as follows:

- 1           1.   A park district levying a tax for ~~employees~~ an employees' pension fund according
- 2                   to sections 40-49-21 and 40-49-22 may levy a tax not exceeding the ~~ratio which~~
- 3                   ~~the total amounts paid to the employees of the city per annum bears to the total~~
- 4                   ~~amount of taxes levied by the city for such employees~~ amount necessary for the
- 5                   district's annual contribution to the employees' pension fund.