

Fifty-sixth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2079**

Introduced by

Education Committee

(At the request of the State Board of Public School Education)

1 A BILL for an Act to amend and reenact subsection 6 of section 15-27.2-04 of the North Dakota  
2 Century Code, or in the alternative to amend and reenact subsection 11 of section 15.1-12-05  
3 of the North Dakota Century Code, relating to state board of public school education annexation  
4 appeals.

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

6 **SECTION 1. AMENDMENT.** If House Bill No. 1034 does not become effective,  
7 subsection 6 of section 15-27.2-04 of the 1997 Supplement to the North Dakota Century Code  
8 is amended and reenacted as follows:

9 6. If the school districts involved in the proposed annexation are situated in more than  
10 one county, the county committee of the county encompassing the major portion of  
11 each school district shall ~~consider and jointly effect the annexation if a majority of~~  
12 ~~the members of each of such county committees approves~~ hear the annexation  
13 and the county committees shall vote separately on whether to approve or deny  
14 the annexation. If the annexation is approved by a majority of the members of one  
15 or both of the two county committees, or if the annexation is denied by both county  
16 committees and the petitioners express an intention to appeal the matter to the  
17 state board, the county superintendent of the county in which the annexing district  
18 is located shall submit the annexation to the state board for approval or  
19 ~~disapproval, and in such instance approval of the annexation shall have the same~~  
20 ~~effect as approval by all county committees~~ denial.

21 **SECTION 2. AMENDMENT.** Subsection 11 of section 15.1-12-05 of the North Dakota  
22 Century Code as created by House Bill No. 1034, as approved by the fifty-sixth legislative  
23 assembly, is amended and reenacted as follows:

- 1           11.   a.   ~~If an annexation petition is considered by a single county committee, the~~  
2                   ~~decision of the county committee may be appealed to the state board.~~
- 3                   b.   ~~If an annexation petition is considered by more than one county committee~~  
4                   ~~and at least one county committee approves the annexation, the decision may~~  
5                   ~~be appealed to the state board.~~
- 6                   e.   ~~If an annexation petition is considered by more than one county committee~~  
7                   ~~and denied by each~~ Regardless of how many county committee committees  
8                   consider the annexation, the decision may ~~not~~ be appealed to the state board.