

Fifty-seventh  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1060

Introduced by

Representatives Koppang, Mahoney, Wikenheiser

Senators Fischer, Freborg

1 A BILL for an Act to amend and reenact section 61-21-28 of the North Dakota Century Code,  
2 relating to custody of drain funds.

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

4 **SECTION 1. AMENDMENT.** Section 61-21-28 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **61-21-28. Collection of drain taxes.** The county treasurer shall collect the drain taxes  
7 ~~shall be collected by the county treasurer,~~ and shall credit all moneys so collected shall be  
8 ~~credited~~ to the drain fund to which they belong. The county treasurer shall act as the custodian  
9 of ~~such~~ the drain funds unless the board of the water resource district having jurisdiction over  
10 the drain requests otherwise in writing. Upon receiving a written request from the water  
11 resource district board, the county treasurer shall pay all moneys collected, and the earnings  
12 thereon, to the treasurer of the water resource district, who shall then act as the custodian of  
13 the drain funds. A direction by a board is effective for all moneys then in the custody of the  
14 county treasurer and all moneys subsequently collected thereafter unless and until the board  
15 directs in writing that the county treasurer act as the custodian of the moneys.