

Fifty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2068

Introduced by

Finance and Taxation Committee

(At the request of the Tax Commissioner)

1 A BILL for an Act to amend and reenact subsection 6 of section 57-02-27.2 of the North Dakota
2 Century Code, relating to the valuation and assessment of inundated agricultural land for
3 property tax purposes; to provide an effective date; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Subsection 6 of section 57-02-27.2 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 6. For purposes of this section, "inundated agricultural land" means property
8 classified as agricultural property containing a minimum of ten contiguous acres
9 which is inundated to an extent making it unsuitable for growing crops or grazing
10 farm animals for a full three consecutive growing seasons or more, and
11 which produced revenue from any source in the most recent prior year which is
12 less than the county average revenue per acre for noncropland calculated by the
13 agricultural economics department of the North Dakota state university.
14 Application for classification as inundated agricultural land must be made in writing
15 to the township assessor or county director of tax equalization by March thirty-first
16 of each year, except that for the year 2001, the written application must be made
17 within ninety days from the filing of this Act with the secretary of state. Before all or
18 part of a parcel of property may be classified as inundated agricultural land, the
19 board of county commissioners must approve that classification for that property
20 for the taxable year. The agricultural value of inundated agricultural lands for
21 purposes of this section must be determined by the agricultural economics
22 department of North Dakota state university to be ten percent of the average
23 agricultural value of noncropland for the county as determined under this section.
24 Valuation of individual parcels of inundated agricultural land may recognize the

1 probability that the property will be suitable for agricultural production as cropland
2 or for grazing farm animals in the future.

3 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
4 December 31, 2000.

5 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.