

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1303

Introduced by

Representatives Herbel, Drovdal

Senators Krauter, Olafson

1 A BILL for an Act to amend and reenact subsection 7 of section 57-02-27.2 of the North Dakota
2 Century Code, relating to actual use of agricultural property as a basis for determination of the
3 status of property as cropland or noncropland for property tax assessment purposes; and to
4 provide an effective date.

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

6 **SECTION 1. AMENDMENT.** Subsection 7 of section 57-02-27.2 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 7. Before February first of each year, the county director of tax equalization in each
9 county shall provide to all assessors within the county an estimate of the average
10 agricultural value of agricultural lands within each assessment district. The
11 estimate must be based upon the average agricultural value for the county
12 adjusted by the relative values of lands within each assessment district compared
13 to the county average. In determining the relative value of lands for each
14 assessment district compared to the county average, the county director of tax
15 equalization, whenever possible, shall use soil type and soil classification data
16 from detailed and general soil surveys. However, actual use of the property must
17 be considered in conjunction with soil type and soil classification data to determine
18 the status of property as cropland or noncropland for assessment purposes. The
19 property owner shall notify the county director of tax equalization when a change of
20 actual use of the property occurs for purposes of this subsection. When such soil
21 type and classification data cannot be used, the county director of tax equalization
22 shall use whatever previous assessment data is best suited to the purpose.

23 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
24 December 31, 2006.