

Sixty-first  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1198

Introduced by

Representatives Froseth, Hunskor, Kaldor, Pinkerton

Senators Lindaas, Wanzek

1 A BILL for an Act to amend and reenact section 57-02-27 of the North Dakota Century Code,  
2 relating to creation of a property classification for recreation service districts for property tax  
3 purposes; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Section 57-02-27 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **57-02-27. Property to be valued at a percentage of assessed value - Classification**  
8 **of property - Limitation on valuation of annexed agricultural lands.** All property subject to  
9 taxation based on the value thereof must be valued as follows:

- 10 1. All residential property to be valued at nine percent of assessed value. If any  
11 property is used for both residential and nonresidential purposes, the valuation  
12 must be prorated accordingly.
- 13 2. All agricultural property to be valued at ten percent of assessed value as  
14 determined pursuant to section 57-02-27.2.
- 15 3. All commercial property to be valued at ten percent of assessed value.
- 16 4. All centrally assessed property to be valued at ten percent of assessed value  
17 except as provided in section 57-06-14.1.
- 18 5. Notwithstanding the provisions of subsections 1 through 4, all property within a  
19 recreation service district to be valued at four and one-half percent of assessed  
20 value.

21 The resulting amounts must be known as the taxable valuation. In determining the assessed  
22 value of real and personal property, except agricultural property, the assessor may not adopt a  
23 lower or different standard of value because the same is to serve as a basis of taxation, nor  
24 may the assessor adopt as a criterion of value the price at which said property would sell at

1 auction, or at forced sale, or in the aggregate with all the property in the town or district, but the  
2 assessor shall value each article or description by itself, and at such sum or price as the  
3 assessor believes the same to be fairly worth in money. In assessing any tract or lot of real  
4 property, there must be determined the value of the land, exclusive of improvements, and the  
5 value of all taxable improvements and structures thereon, and the aggregate value of the  
6 property, including all taxable structures and other improvements, excluding the value of crops  
7 growing upon cultivated lands. In valuing any real property upon which there is a coal or other  
8 mine, or stone or other quarry, the same must be valued at such a price as such property,  
9 including the mine or quarry, would sell for at a fair voluntary sale for cash. Agricultural lands  
10 within the corporate limits of a city which are not platted constitute agricultural property and  
11 must be so classified and valued for ad valorem property tax purposes until such lands are put  
12 to another use. Agricultural lands, whether within the corporate limits of a city or not, which  
13 were platted and assessed as agricultural property prior to March 30, 1981, must be assessed  
14 as agricultural property for ad valorem property tax purposes until put to another use. Such  
15 valuation must be uniform with the valuation of adjoining unannexed agricultural land.

16 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after  
17 December 31, 2008.