

Sixty-first  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1546

Introduced by

Representatives Weisz, Ruby

Senator Hogue

1 A BILL for an Act to amend and reenact sections 57-13-03 and 57-13-04 of the North Dakota  
2 Century Code, relating to equalization of assessments by the state board of equalization.

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

4 **SECTION 1. AMENDMENT.** Section 57-13-03 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **57-13-03. Annual meeting to equalize taxable property.** The state board of  
7 equalization shall meet annually on the second Tuesday in August at the office of the state tax  
8 commissioner or, if deemed advisable by the board because of inadequate space, at such other  
9 place on the grounds of the state capitol as may be adequate, and then shall examine ~~and~~  
10 ~~compare the returns of~~ issues regarding the assessment of taxable property ~~as returned by the~~  
11 ~~several counties in the state, and shall proceed to equalize the same so that all assessments of~~  
12 ~~similar taxable property are uniform and equal throughout the state at the full and true value~~  
13 ~~thereof in money or at such percentage of the full and true value~~ which may be brought before  
14 the board as may be ~~required~~ allowed by law.

15 **SECTION 2. AMENDMENT.** Section 57-13-04 of the North Dakota Century Code is  
16 amended and reenacted as follows:

17 **57-13-04. General duties and powers of board.** The state board of equalization shall  
18 equalize the valuation and assessment of property ~~throughout the state, and has power to~~  
19 ~~equalize the assessment of property in this state between assessment districts of the same~~  
20 ~~county, and between the different counties of the state~~ in cases brought before the board for  
21 determination. ~~It shall:~~

22 4. ~~Equalize the assessment of real property by adding to the aggregate value thereof~~  
23 ~~in any assessment district in a county and in every county in the state in which the~~  
24 ~~board may believe the valuation too low, such percentage rate as will raise the~~

1 same to its proper value as provided by law, and by deducting from the aggregate  
2 assessed value thereof, in any assessment district in a county and every county in  
3 the state in which the board may believe the value too high, such percentage as  
4 will reduce the same to its proper value as provided by law. City lots must be  
5 equalized in the manner provided for equalizing other real property.

6 2. In making such equalization, add to or deduct from the aggregate assessed  
7 valuation of lands and city lots such percentage as may be deemed by the board to  
8 be equitable and just, but in all cases of addition to or deduction from the assessed  
9 valuation of any class of property in the several assessment districts in each  
10 county and in the several counties of the state, or throughout the state, the  
11 percentage rate of addition or deduction must be even and not fractional.

12 3. In equalizing individual assessments:

13 a. 1. If it believes an assessment to be too high, the board may reduce the assessment  
14 on any separate piece or parcel of real estate if the taxpayer has appealed such  
15 assessment to the board either by appearing personally or by a representative  
16 before the board or by mail or other communication to the board in which the  
17 taxpayer's reasons for asking for the reduction are made known to the board. The  
18 board does not have authority to reduce an assessment until the taxpayer has  
19 established to the satisfaction of the board that the taxpayer had first appealed the  
20 assessment to the local equalization board of the taxing district in which the  
21 property was assessed and to the county board of equalization of the county in  
22 which the property was assessed.

23 b. 2. If it believes an assessment to be too low, the board may increase the assessment  
24 on any separate piece or parcel of real estate. The secretary of the board, by mail  
25 sent to the last-known address of the owner to whom the property was assessed,  
26 shall notify such person of the amount of increase made by the board in such  
27 assessment.

28 e. 3. The percentage of reduction or increase made by the board under this ~~subsection~~  
29 section in any assessment must be a whole-numbered amount and not a fractional  
30 amount.