

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2239

Introduced by

Senators Cook, Flakoll, Seymour

Representatives Boehning, Dosch, Glassheim

1 A BILL for an Act to amend and reenact section 57-02-11 of the North Dakota Century Code,
2 relating to property tax assessments for new construction; and to provide an effective date.

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

4 **SECTION 1. AMENDMENT.** Section 57-02-11 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **57-02-11. Listing of property - Assessment thereof.** Property must be listed and
7 assessed as follows:

- 8 1. All real property subject to taxation must be listed and assessed every year with
9 reference to its value, on February first of that year.
- 10 2. Whenever after the first day of February and before the first day of April in any
11 year, it is made to appear to the assessor by the oath of the owner that any
12 building, structure, or other improvement, or tangible personal property, which is
13 listed for taxation for the current year has been destroyed or injured by fire, flood,
14 or tornado, the assessor shall investigate the matter and deduct from the valuation
15 of the property of the owner of such destroyed property an amount which in the
16 assessor's judgment fairly represents such deduction as should be made.
- 17 3. New single-family residential property, exclusive of the land on which it is situated,
18 is exempt from assessment for the taxable year in which construction began and
19 the next two taxable years, if the property remains unoccupied and all of the
20 following conditions are met:
 - 21 a. The governing body of the city, for property within city limits, or the governing
22 body of the county, for property outside city limits, has approved the
23 exemption of property under this subsection by resolution. A resolution
24 adopted under this subsection may be rescinded or amended at any time.

1 The governing body of the city or county may limit or impose conditions upon
2 exemptions under this subsection, including limitations on the time during
3 which an exemption is allowed.

4 b. Special assessments and taxes on the property upon which the residence is
5 situated are not delinquent.

6 A builder is eligible for exemption of no more than ten properties under this
7 subsection in a taxable year within each jurisdiction that has approved the
8 exemption under this subsection. For purposes of this subsection, "builder"
9 includes an individual who builds that individual's own residence.

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