

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Dosch

1 A BILL for an Act to amend and reenact subsection 20 of section 48-01.2-01 and section
2 48-02.1-12 of the North Dakota Century Code, relating to bidding requirements and the
3 definition of a public improvement.

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

5 **SECTION 1. AMENDMENT.** Subsection 20 of section 48-01.2-01 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 20. "Public improvement" means any improvement undertaken by a governing body for
8 the good of the public and which is paid for with public funds and constructed on
9 public land or within a public building and includes an improvement on public or
10 nonpublic land if any portion of the construction phase of the project is paid for with
11 public funds or pursuant to a lease agreement under which the governing body
12 uses public funds to repay debt service on the improvement. The term does not
13 include a county road construction and maintenance, state highway, or public
14 service commission project governed by title 11, 24, or 38.

15 **SECTION 2. AMENDMENT.** Section 48-02.1-12 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **48-02.1-12. Property tax exemptions - Exemptions from bidding requirements.**

18 1. If approved by the governing body of the city, for property within city limits, or by
19 the governing body of the county, for property outside city limits, new fee-based
20 facilities are exempt from all ad valorem taxes.
21 2. ~~For~~ Unless otherwise required by law, for portions of the project that do not involve
22 contractor ownership, the construction, improvement, rehabilitation, operation, and
23 management of fee-based facilities by private operators under this chapter are
24 subject to all competitive bidding and procurement requirements otherwise

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- 1 applicable under state and local laws, rules, and ordinances, if so determined by
- 2 resolution of the governing body of the public authority.