

Sixty-first  
Legislative Assembly  
of North Dakota

Introduced by

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 2. 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 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 is completed,  
19 any following years the residential property remains unoccupied, and the two  
20 taxable years immediately following the year of first occupancy of the property if all  
21 of the following conditions are met:
  - 22 a. The governing body of the city, for property within city limits, or the governing  
23 body of the county, for property outside city limits, has approved the  
24 exemption of property under this subsection by resolution. A resolution

1                   adopted under this subsection may be rescinded or amended at any time.

2                   The governing body of the city or county may limit or impose conditions upon

3                   exemptions under this subsection, including limitations on the time during

4                   which an exemption is allowed.

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

7                   c. The builder has filed a claim for the exemption under this section with the  
8                   county auditor, on a form provided by the county auditor, identifying each  
9                   parcel of property for which the builder claims the exemption. A claim of the  
10                  exemption under this subsection must be filed by the end of the taxable year  
11                  in which construction is completed on the property. A builder may file claims  
12                  for exemption of no more than ten properties under this subsection in a county  
13                  in a taxable year.

14                  d. If a property is sold or occupied during the time the exemption under this  
15                  subsection would otherwise apply, the buyer or builder becomes ineligible for  
16                  the exemption and the property is subject to assessment and taxes from the  
17                  date of the sale or occupancy.

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