

Sixty-first  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO.

Introduced by

Representative Bellew

1 A BILL for an Act to create and enact a new section to chapter 57-15 of the North Dakota  
2 Century Code, relating to adoption and referral of preliminary budgets of cities, counties, and  
3 school districts; and to provide an effective date.

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

5 **SECTION 1.** A new section to chapter 57-15 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Adoption and referral of preliminary budget of city, county, or school district.** The  
8 governing body of a city, county, or school district shall adopt a preliminary budget by April 20  
9 of each year. The governing body shall cause notice of the preliminary budget to be published  
10 in the official newspaper of the city, county, or school district at least once each week for two  
11 consecutive weeks, with the second publication to be made not later than April 30.

12 1. The preliminary budget adopted by the governing body is subject to referral and  
13 the governing body shall put the issue before the qualified electors of the city,  
14 county, or school district when a petition in writing, signed by qualified electors of  
15 the city, county, or school district equal in number to at least ten percent of the total  
16 vote cast in the city, county, or school district for the office of governor of the state  
17 at the last regular election is presented to that governing body.

18 2. If a majority of the qualified electors of the city, county, or school district voting on  
19 the question in a referral election under subsection 1 disapproves the preliminary  
20 budget as adopted by the governing body, the governing body of the city, county,  
21 or school district may not adopt a final budget or levy exceeding the amount in  
22 dollars levied by the city, county, or school district in the immediately preceding  
23 taxable year increased by an amount equal to the sum determined by application  
24 of the previous year's calculated mill rate for that taxing district to the current year

1                   taxable valuation of any taxable property that was not taxable in the taxing district  
2                   for the preceding year.

3           3. If the preliminary budget of the city, county, or school district is not disapproved by  
4           the electors of the taxing district, the final budget adopted by the city, county, or  
5           school district governing board may not exceed the amount of the preliminary  
6           budget.

7           **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after  
8   December 31, 2009.