

Sixty-first
Legislative Assembly
of North Dakota

Introduced by

(At the request of the State Treasurer)

1 A BILL for an Act to amend and reenact subsection 2 of section 54-27-19 of the North Dakota
2 Century Code, relating to motor vehicle registrations.

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

4 **SECTION 1. AMENDMENT.** Subsection 2 of section 54-27-19 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 2. Thirty-seven percent of such moneys must be allocated to the counties of this state
7 in proportion to the number of ~~motor~~ vehicle registrations credited to each county.
8 Each county must be credited with the certificates of title of all ~~motor~~ vehicles
9 registered by residents of such county. The state treasurer shall compute and
10 distribute the counties' share monthly after deducting the incorporated cities' share.
11 All the moneys received by the counties from the highway tax distribution fund
12 must be set aside in a separate fund called the "highway tax distribution fund" and
13 must be appropriated and applied solely for highway purposes in accordance with
14 section 11 of article X of the Constitution of North Dakota. The state treasurer shall
15 compute and distribute monthly the sums allocated to the incorporated cities within
16 each county according to the formula in this subsection on the basis of the per
17 capita population of all of the incorporated cities situated within each county as
18 determined by the last official regular or special federal census or the census taken
19 in accordance with the provisions of chapter 40-02 in case of a city incorporated
20 subsequent to such census. Provided, however, that in each county having a city
21 with a population of ten thousand or more, the amount transferred each month into
22 the county highway tax distribution fund must be the difference between the
23 amount allocated to that county pursuant to this subsection and the total amount

allocated and distributed to the incorporated cities in that county as computed according to the following formula:

- a. A statewide per capita average as determined by calculating twenty-seven percent of the amount allocated to all of the counties under this subsection divided by the total population of all of the incorporated cities in the state.
- b. The share distributed to each city in the county having a population of less than one thousand must be determined by multiplying the population of that city by the product of 1.50 times the statewide per capita average computed under subdivision a.
- c. The share distributed to each city in the county having a population of one thousand to four thousand nine hundred ninety-nine, inclusive, must be determined by multiplying the population of that city by the product of 1.25 times the statewide per capita average computed under subdivision a.
- d. The share distributed to each city in the county having a population of five thousand or more must be determined by multiplying the population of that city by the statewide per capita average for all such cities, which per capita average must be computed as follows: the total of the shares computed under subdivisions b and c for all cities in the state having a population of less than five thousand must be subtracted from the total incorporated cities' share in the state as computed under subdivision a and the balance remaining must then be divided by the total population of all cities of five thousand or more in the state.

The moneys allocated to the incorporated cities must be distributed to them monthly by the state treasurer and must be deposited by the cities in a separate fund and may only be used in accordance with section 11 of article X of the Constitution of North Dakota; provided, that any incorporated city may use such fund for the construction, reconstruction, repair, and maintenance of public highways within or outside such city pursuant to an agreement entered into between the city and any other political subdivision as authorized by section 54-40-08.