

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1048

Introduced by

Legislative Management

(Taxation Committee)

A BILL for an Act to create and enact a new section to chapter 57-02 of the North Dakota Century Code, relating to creation of the agricultural land valuation fund; to amend and reenact subsection 10 of section 57-02-27.2 of the North Dakota Century Code, relating to extension of the deadline for counties to implement use of soil survey data in agricultural property tax assessments; to provide a continuing appropriation; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 10 of section 57-02-27.2 of the North Dakota Century Code is amended and reenacted as follows:

10. For any county that has not fully implemented use of soil type and soil classification data from detailed or general soil surveys ~~for by February first of~~ any taxable year after 2011, the tax commissioner shall direct the state treasurer to withhold five percent of that county's allocation each ~~month~~ quarter from the state aid distribution fund under section 57-39.2-26.1 ~~until that county has fully implemented use of soil type or soil classification data from detailed and general soil surveys~~ beginning with the first quarter of 2013. The amount withheld from the allocation must be deposited into the agricultural land valuation fund. The amount withheld from the allocation must be withheld entirely from the portion of the allocation which may be retained by the county and may not reduce allocations to any political subdivisions within the county. ~~The amount withheld from the allocation must be reallocated among counties through the state aid distribution fund, excluding any counties that have had amounts withheld from their allocations under this subsection.~~

SECTION 2. A new section to chapter 57-02 of the North Dakota Century Code is created and enacted as follows:

Agricultural land valuation fund - Deposits - Continuing appropriation.

1 There is established a special fund in the state treasury to be known as the agricultural land
2 valuation fund. The moneys withheld under subsection 10 of section 57-02-27.2 must be
3 deposited into the agricultural land valuation fund. All moneys deposited in the agricultural land
4 valuation fund are appropriated as a continuing appropriation and must be allocated to the
5 county from which the withholding was made upon certification from the tax commissioner of
6 the implementation of subsection 7 of section 57-02-27.2 by that county.

7 **SECTION 3. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
8 December 31, 2010.