

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2356**

Introduced by

Senators Flakoll, Sorvaag

Representatives Hawken, Keiser

1 A BILL for an Act to amend and reenact section 40-22.1-01 of the North Dakota Century Code,
2 relating to special assessments for business promotion; and to provide for a legislative
3 management study.

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

5 **SECTION 1. AMENDMENT.** Section 40-22.1-01 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **40-22.1-01. Improvements by special assessments for business promotion.**

8 A municipality may defray the expense of improvements by special assessments for the
9 promotion of business activity and new business development through any means not
10 inconsistent with the purposes of this chapter, including advertising, public information,
11 marketing, maintenance and decoration of public places, promotion of public events, furnishing
12 of music in any public place, providing professional management, planning, and promotion, and
13 the general promotion of trade activities. ~~For purposes of this chapter, "municipality" means a~~
14 ~~city with a population of ten thousand or less.~~ The governing body of the municipality may make
15 and execute necessary or convenient agreements to exercise the powers and functions under
16 this chapter, including contracts with any entity. In planning an improvement project under this
17 chapter the governing body may include any work and materials which are deemed necessary
18 or reasonably incidental to the project. A municipality may not issue warrants, bonds, or any
19 other form of indebtedness in anticipation of the levy and collection of assessments under this
20 chapter.

21 **SECTION 2. LEGISLATIVE MANAGEMENT STUDY - SPECIAL ASSESSMENTS.** During
22 the 2011-12 interim, the legislative management shall study use of special assessments for
23 public improvements, use and administration of special assessments across the state, and
24 alternative funding mechanisms available and possible processes and procedures that would

Sixty-second
Legislative Assembly

- 1 facilitate a transition to any recommended alternative funding mechanisms. The legislative
- 2 management shall report its findings and recommendations, together with any legislation
- 3 required to implement the recommendations, to the sixty-third legislative assembly.