

Sixty-second
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1342

Introduced by

Representatives Bellew, Delzer, Weiler, Wrangham

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, school
3 districts, and park 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 created
6 and enacted as follows:

7 **Adoption and referral of preliminary budget of city, county, school district, or park**
8 **district.**

- 9 1. The governing body of a city, county, school district, or park district shall adopt a
10 preliminary budget by April twentieth of each year. The governing body shall cause
11 notice of the preliminary budget to be published in the official newspaper of the city,
12 county, school district, or park district at least once each week for two consecutive
13 weeks, with the second publication to be made not later than April thirtieth.
- 14 2. The preliminary budget adopted by the governing body is subject to referral. The
15 governing body shall put the issue before the qualified electors of the city, county,
16 school district, or park district at a regular or special election when a petition is
17 presented to that governing body in writing, signed by qualified electors of the city,
18 county, school district, or park district equal in number to at least ten percent of the
19 total vote cast in the city, county, school district, or park district for the office of
20 governor of the state at the last regular election. The preliminary budget must contain
21 a statement of the percentage and dollar amount of the increase or decrease in
22 comparison to the previous year's budget and an estimate of the percentage and
23 dollar amount of the increase or decrease in property taxes for an average property
24 owner in the city, county, school district, or park district.

- 1 3. If a majority of the qualified electors of the city, county, school district, or park district
2 voting on the question in a referral election under subsection 2 disapprove the
3 preliminary budget as adopted by the governing body, the governing body of the city,
4 county, school district, or park district may not adopt a final budget or levy exceeding
5 the amount in dollars levied by the city, county, school district, or park district in the
6 immediately preceding taxable year, increased by an amount equal to the sum
7 determined by application of the immediately preceding taxable year's calculated mill
8 rate for that taxing district to the current year's taxable valuation of any taxable
9 property that was not taxable in the taxing district for the preceding year.
- 10 4. If the preliminary budget of the city, county, school district, or park district is not
11 disapproved by the electors of the taxing district, the final budget adopted by the city,
12 county, school district, or park district governing board may not exceed the amount in
13 dollars of the preliminary budget.

14 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
15 December 31, 2011.