

Sixty-fourth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1054

Introduced by

Legislative Management

(Taxation Committee)

1 A BILL for an Act to amend and reenact subsections 8 and 9 of section 57-02-27.2 of the North
2 Dakota Century Code, relating to establishment and use of modifiers for assessment of
3 agricultural property; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Subsections 8 and 9 of section 57-02-27.2 of the North Dakota
6 Century Code are amended and reenacted as follows:

7 8. Each local assessor shall determine the relative value of each assessment parcel
8 within the assessor's jurisdiction and shall determine the agricultural value of each
9 assessment parcel by adjusting the agricultural value estimate for the assessment
10 district by the relative value of the parcel. Each parcel must then be assessed
11 according to section 57-02-27. If either a local assessor or a township board of
12 equalization develops an agricultural value for the lands in its assessment district
13 differing substantially from the estimate provided by the county director of tax
14 equalization, written evidence to support the change must be provided to the county
15 director of tax equalization. In determining the relative value of each assessment
16 parcel, the local assessor shall apply the following considerations, which are listed in
17 descending order of significance to the assessment determination:

- 18 a. Soil type and soil classification data from detailed or general soil surveys.
19 b. The schedule of modifiers ~~that must be used to adjust agricultural property~~
20 ~~assessments within the county as approved by the state supervisor of~~
21 ~~assessments under subsection 9 and the guidelines established by the state~~
22 supervisor of assessments for application of those modifiers.
23 c. Actual use of the property for cropland or noncropland purposes by the owner of
24 the parcel.

1 9. Before February first of each year, the county director of tax equalization in each
2 county shall provide to all assessors of agricultural property within the county
3 instruction on how to use available soil survey resources, a copy of the schedule of
4 modifiers that must be used to adjust agricultural property assessments within the
5 county, and directionsa copy of the current guidelines established by the state
6 supervisor of assessments regarding how those modifiers must be applied by
7 assessors. ~~Before the schedule of modifiers is provided to assessors within the~~
8 ~~county, the county director of tax equalization shall obtain the approval of the state~~
9 ~~supervisor of assessments for use of the schedule within the county.~~Modifiers may be
10 applied to reduce the soil type valuation of an area consisting of at least five
11 contiguous acres of a soil type affected by conditions described for one or more of the
12 allowable modifiers, if the assessor makes a site inspection to confirm the existence of
13 those conditions.

14 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
15 December 31, 2015.