

Sixty-ninth
Legislative Assembly
of North Dakota

SECOND ENGROSSMENT

REENGROSSED SENATE BILL NO. 2158

Introduced by

Senators Schaible, Myrdal

Representatives Monson, Hatlestad

1 A BILL for an Act to amend and reenact section 15.1-12-29 of the North Dakota Century Code,
2 relating to the distribution of the unobligated cash balance of a dissolved school district; and to
3 declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 15.1-12-29 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15.1-12-29. Dissolution of school district - Unobligated cash balance - Tax credits or**
8 **refunds - Distribution to another political subdivision.**

9 1. After ten thousand dollars is set aside, as required by section 15.1-12-28, and after the
10 required amount is deposited in the reimbursement account for job service North
11 Dakota, as required by section 15.1-12-28.1, ~~any:~~

12 a. Any remaining unobligated cash balance, up to an amount equaling a dissolved
13 school district's general fund expenditure for the last school year before the
14 district's dissolution is a credit for real property owners within the boundaries of
15 the dissolved school district, against taxes levied by the district to which their
16 property is now attached. If property from the dissolved district is attached to
17 more than one school district, the percentage of the total credit to which each
18 eligible real property owner is entitled must equal the percentage that the taxable
19 valuation of the individual's real property bears to the total taxable valuation of
20 the dissolved district's property at the time of the attachment order; or

21 b. The county committee may distribute the remaining unobligated cash balance not
22 exceeding forty-nine thousand five hundred dollars to another political subdivision.

1 located partially or wholly within the geographic boundaries of the dissolving
2 school district. After distributing the funds, the county committee shall distribute
3 any remaining unobligated cash balance in accordance with subdivision a.

- 4 2. Upon approval of the board of county commissioners, any school district ~~required to~~
5 ~~provide~~providing a tax credit under subdivision a of subsection 1 may provide a cash
6 refund in lieu of the tax credit. At the request of the county auditor, the school district
7 holding the unobligated cash balance available under subdivision a of subsection 1
8 shall pay to the county treasurer the amount to be paid to those who own real property
9 within the dissolved district. The treasurer shall issue the refund to the owner of the
10 property as shown on the county's assessment list at the time of payment. If there is a
11 lien for unpaid taxes against the property, the treasurer shall first apply the property
12 owner's tax credit toward any outstanding balance. Any amount remaining may then
13 be paid to the property owner. The cash refunds must be calculated proportionately to
14 the total taxable value of the dissolved district during the last year taxes were levied.
- 15 3. After the requirements of subdivision a of subsection 1 have been met, the county
16 auditor shall distribute any remaining unobligated cash balance among the school
17 districts to which the real property of the dissolved district was attached. The
18 percentage of the remaining unobligated cash balance to which each school district is
19 entitled equals that percentage of the dissolved district's total taxable valuation which
20 was attached to the receiving school district.

21 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.