

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2367
(Senators Myrdal, Luick)
(Representative Monson)

AN ACT to amend and reenact subsections 8 and 9 of section 57-02-27.2 of the North Dakota Century Code, relating to assessment of agricultural property; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 8 of section 57-02-27.2 of the North Dakota Century Code is amended and reenacted as follows:

8. Each local assessor shall determine the relative value of each assessment parcel within the assessor's jurisdiction and shall determine the agricultural value of each assessment parcel by adjusting the agricultural value estimate for the assessment district by the relative value of the parcel. Each parcel must then be assessed according to section 57-02-27. If either a local assessor or a township board of equalization develops an agricultural value for the lands in its assessment district differing substantially from the estimate provided by the county director of tax equalization, written evidence to support the change must be provided to the county director of tax equalization. In determining the relative value of each assessment parcel, the local assessor shall apply the following considerations, which are listed in descending order of significance to the assessment determination:
 - a. Actual use of the property for cropland or noncropland purposes by the owner of the parcel.
 - b. Soil type and soil classification data from detailed or general soil surveys.
 - ~~b-c.~~ The schedule of modifiers that must be used to adjust agricultural property assessments within the county as approved by the state supervisor of assessments under subsection 9.
 - e. ~~Actual use of the property for cropland or noncropland purposes by the owner of the parcel.~~

SECTION 2. AMENDMENT. Subsection 9 of section 57-02-27.2 of the North Dakota Century Code is amended and reenacted as follows:

9.
 - a. In conjunction with the governing body of the county, the county director of tax equalization shall develop a schedule of modifiers to be used to adjust agricultural property assessments within the county and directions regarding how the modifiers must be applied by assessors.
 - b. The county director of tax equalization shall submit the directions and schedule of modifiers developed under subdivision a to the state supervisor of assessments for approval for use within the county.
 - c. Before February first of each year, the county director of tax equalization in each county shall provide to all assessors of agricultural property within the county ~~at the directions and schedule of modifiers that approved by the state supervisor of assessments under subdivision b.~~ The schedule of modifiers must be used to adjust agricultural property assessments within the county and ~~directions regarding how those modifiers must be applied by assessors.~~ Before the schedule of modifiers is provided to assessors within the county, the county director of tax equalization shall obtain the approval of the state

supervisor of assessments for use of the schedule within the county as provided in this section.

- d. To request an adjustment to an owner's agricultural property assessment, the owner shall sign and file with the assessor an initial application in the manner prescribed by the tax commissioner. The application must contain a verified statement of facts establishing the owner's property meets the eligibility requirements for an adjustment to the property assessment based on the schedule of modifiers developed and approved under this subsection as of the date of the application. The assessor shall consider applications submitted under this subdivision when determining the agricultural value of each parcel subject to assessment under this section and may request additional information from the applicant when making a determination of eligibility. After the submission of an initial application, the assessor periodically shall review the property and determine whether a continued adjustment to the property assessment based on the schedule of modifiers is appropriate. The property owner shall notify the assessor if there is a change in circumstance that may affect the applicability of an adjustment to the owner's property assessment based on the schedule of modifiers.

SECTION 3. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 2025.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2367.

Senate Vote: Yeas 44 Nays 0 Absent 3

House Vote: Yeas 92 Nays 0 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State