

HOUSE BILL NO. 1240
with Senate AmendmentsFifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1240

Introduced by

Representative Maragos

Senator Watne

1 A BILL for an Act to amend and reenact sections 40-49-21 and 40-49-22 and subsection 1 of
2 section 57-15-12.2 of the North Dakota Century Code, relating to park district pension plans.

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

4 **SECTION 1. AMENDMENT.** Section 40-49-21 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **40-49-21. Park districts may provide for employees' pensions.** ~~The A board of~~
7 ~~park commissioners of a park district in any city which has adopted an employees' pension~~
8 ~~system pursuant to the provisions of chapter 40-46, may, with the consent of the governing~~
9 ~~body of such city and the consent of not less than a majority of the city employees covered by~~
10 ~~the provisions of such chapter, provide for employees' pensions pursuant to such chapter~~
11 ~~40-46, and payments with the consent of the city governing body and the consent of not less~~
12 ~~than a majority of the city employees covered by the provisions of that chapter, chapter 54-52,~~
13 ~~or under a program approved by the internal revenue service. Payments made by employees~~
14 ~~or taxes levied by such the park district shall must be paid into the employees' pension fund of~~
15 ~~such city, and the benefits provided for the employees of such park district shall be the same as~~
16 ~~provided for employees of such city. If a board of park commissioners decides to leave an~~
17 ~~existing city pension plan, the board shall fund an actuarial study of the financial impacts to the~~
18 ~~pension fund upon request by the city governing body. Any losses or costs to the fund by the~~
19 ~~park district leaving the pension plan are the responsibility of the park district. A park district~~
20 ~~leaving the city's pension plan shall continue to fund the obligation of park district employees~~
21 ~~remaining with the city's plan or the park district shall fund all obligations of current and future~~
22 ~~retirees in the park district's plan.~~

23 **SECTION 2. AMENDMENT.** Section 40-49-22 of the North Dakota Century Code is
24 amended and reenacted as follows:

1 **40-49-22. Tax levy for park district employees' pension fund.** ~~Any~~ A park district
2 adopting the provisions of section 40-49-21 may levy a tax not exceeding the limitation in
3 subsection 1 of section 57-15-12.2. The proceeds of the tax levy ~~shall~~ must be placed in the
4 employees' pension fund ~~of the city~~.

5 **SECTION 3. AMENDMENT.** Subsection 1 of section 57-15-12.2 of the North Dakota
6 Century Code is amended and reenacted as follows:

- 7 1. A park district levying a tax for ~~employees~~ an employees' pension fund according
8 to sections 40-49-21 and 40-49-22 may levy a tax not exceeding the ~~ratio which~~
9 ~~the total amounts paid to the employees of the city per annum bears to the total~~
10 ~~amount of taxes levied by the city for such employees~~ amount necessary for the
11 district's annual contribution to the employees' pension fund.