

**SENATE BILL NO. 2438**

Introduced by

Senators Every, Tomac

Representatives Boehm, Pietsch, Renner

1 A BILL for an Act to provide that it is a qualification for election to a political subdivision office  
2 that the officeholder not be delinquent in property taxes in the county; and to provide an  
3 effective date.

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

5 **SECTION 1. Property tax delinquency disqualifies obligor from elective political**  
6 **subdivision office.** It is a qualification for a political subdivision elected office that the  
7 officeholder not be delinquent in property taxes collected by the county in which all or part of the  
8 political subdivision is located. The county auditor may not place on the ballot for election to  
9 any political subdivision office the name of any person who is not qualified to hold that office  
10 under this section. On the first business day following March first of each year, the county  
11 treasurer shall review the records in the county treasurer's office to determine whether any  
12 person holding an elected political subdivision office in the county is not qualified to hold the  
13 office under this section. Before March fifth, the county treasurer shall mail written notice to any  
14 elected political subdivision officeholder who is not qualified to hold the office under this section  
15 notifying that person that the person's office will become vacant if the delinquency is not  
16 eliminated by April first of that year. The office of any elected political subdivision officeholder  
17 becomes vacant on April first if that person owes unpaid and delinquent property taxes  
18 collected by the county in which all or part of the political subdivision is located. On the first  
19 business day after April first, the county treasurer shall notify the county state's attorney of the  
20 county of any political subdivision officeholder who remains delinquent in a property tax  
21 obligation to the county, and if that person has not vacated the office, the state's attorney shall  
22 petition the district court to order removal of that person from office.

23 **SECTION 2. EFFECTIVE DATE.** This Act is effective for any term of office that begins  
24 after July 31, 2001.