

HOUSE BILL NO. 1303

Introduced by

Representatives Herbel, Drovdal

Senators Krauter, Olafson

1 A BILL for an Act to amend and reenact subsection 7 of section 57-02-27.2 of the North Dakota
2 Century Code, relating to actual use of agricultural property as a basis for determination of the
3 status of property as cropland or noncropland for property tax assessment purposes; and to
4 provide an effective date.

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

6 **SECTION 1. AMENDMENT.** Subsection 7 of section 57-02-27.2 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 7. Before February first of each year, the county director of tax equalization in each
9 county shall provide to all assessors within the county an estimate of the average
10 agricultural value of agricultural lands within each assessment district. The
11 estimate must be based upon the average agricultural value for the county
12 adjusted by the relative values of lands within each assessment district compared
13 to the county average. In determining the relative value of lands for each
14 assessment district compared to the county average, the county director of tax
15 equalization, whenever possible, shall use soil type and soil classification data from
16 detailed and general soil surveys. However, actual use of the property prevails
17 over soil type and soil classification data to determine the status of property as
18 cropland or noncropland for assessment purposes. The property owner shall notify
19 the county director of tax equalization when a change of actual use of the property
20 occurs for purposes of this subsection. When ~~such~~ soil type and classification data
21 cannot be used, the county director of tax equalization shall use whatever previous
22 assessment data is best suited to the purpose.

23 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
24 December 31, 2006.