

**HOUSE BILL NO. 1454**

Introduced by

Representatives Bellew, Weiler, Wrangham

1 A BILL for an Act to create and enact a new section to chapter 57-15 of the North Dakota  
2 Century Code, relating to adoption and referral of preliminary budgets of cities, counties, school  
3 districts, and park districts; and to provide an effective date.

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

5 **SECTION 1.** A new section to chapter 57-15 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Adoption and referral of preliminary budget of city, county, school district, or**  
8 **park district.** The governing body of a city, county, school district, or park district shall adopt a  
9 preliminary budget by April twentieth of each year. The governing body shall cause notice of  
10 the preliminary budget to be published in the official newspaper of the city, county, school  
11 district, or park district at least once each week for two consecutive weeks, with the second  
12 publication to be made not later than April thirtieth.

13 1. The preliminary budget adopted by the governing body is subject to referral and  
14 the governing body shall put the issue before the qualified electors of the city,  
15 county, school district, or park district at a regular or special election when a  
16 petition in writing, signed by qualified electors of the city, county, school district, or  
17 park district equal in number to at least ten percent of the total vote cast in the city,  
18 county, school district, or park district for the office of governor of the state at the  
19 last regular election is presented to that governing body. The preliminary budget  
20 must contain a statement of the percentage increase or decrease in comparison to  
21 the previous year's budget and an estimate of the percentage increase or decrease  
22 in property taxes for an average property owner in the city, county, school district,  
23 or park district.

- 1           2. If a majority of the qualified electors of the city, county, school district, or park  
2           district voting on the question in a referral election under subsection 1 disapprove  
3           the preliminary budget as adopted by the governing body, the governing body of  
4           the city, county, school district, or park district may not adopt a final budget or levy  
5           exceeding the amount in dollars levied by the city, county, school district, or park  
6           district in the immediately preceding taxable year, increased by an amount equal to  
7           the sum determined by application of the immediately preceding taxable year's  
8           calculated mill rate for that taxing district to the current year's taxable valuation of  
9           any taxable property that was not taxable in the taxing district for the preceding  
10          year.
- 11          3. If the preliminary budget of the city, county, school district, or park district is not  
12          disapproved by the electors of the taxing district, the final budget adopted by the  
13          city, county, school district, or park district governing board may not exceed the  
14          amount in dollars of the preliminary budget.

15           **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after  
16 December 31, 2009.