

SENATE BILL NO. 2041
with House Amendments
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Introduced by

Legislative Management

(Taxation Committee)

1 A BILL for an Act to create and enact a new subsection to section 21-03-07 of the North Dakota
2 Century Code, relating to the issuance of bonds by the governing body of a park district without
3 voter approval; and to amend and reenact subsection 4 of section 40-49-12 of the North Dakota
4 Century Code, relating to special assessments imposed by a park district.

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

6 **SECTION 1.** A new subsection to section 21-03-07 of the North Dakota Century Code is
7 created and enacted as follows:

8 The governing body of any park district that constitutes a distinct municipality may
9 issue general obligation bonds of the park district for the purpose of providing funds for
10 maintenance of parks, parkways, boulevards, and pleasure drives, but the
11 indebtedness may not at any time exceed one percent of the assessed valuation of
12 the taxable property in the park district. The initial resolution authorizing the issuance
13 of general obligation bonds under this subsection must be published in the official
14 newspaper of the park district, and any owner of taxable property within the park
15 district may, within sixty days after publication, file with the clerk of the park district a
16 protest against the adoption of the resolution. Protests must be in writing and must
17 describe the property that is the subject of the protest. If the governing body finds the
18 protests have been signed by the owners of taxable property having an assessed
19 valuation equal to five percent or more of the assessed valuation of all taxable
20 property within the park district, as last finally equalized, all further proceedings under
21 the initial resolution are barred. For purposes of this subsection, "maintenance" means
22 improvements to property which maintain the useful life of the property, the restoration
23 of property to its previous condition, or incidental repairs or improvements to property.

1 **SECTION 2. AMENDMENT.** Subsection 4 of section 40-49-12 of the North Dakota Century
2 Code is amended and reenacted as follows:

3 4. Levy special assessments on all property especially benefited by the purchase,
4 opening, establishment, and improvement of such parks or boulevards and of ways or
5 streets about the same. For purposes of this section, an especially benefited property
6 is a property that will receive a benefit from the improvement that is to be paid by
7 special assessment which is different from the general benefit that will be conferred on
8 properties located outside of the special assessment improvement district.