

**HOUSE BILL NO. 1367**

Introduced by

Representatives Bellew, Delzer, Dockter, Kading, Schatz, Toman

Senator O. Larsen

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 created  
6 and enacted as follows:

7 **Adoption and referral of preliminary budget of city, county, school district, or park**  
8 **district.**

- 9 1. The governing body of a city, county, school district, or park district shall adopt a  
10 preliminary budget by July tenth of each year. The governing body shall publish notice  
11 of the preliminary budget in the official newspaper of the city, county, school district, or  
12 park district at least once each week for two consecutive weeks, with the second  
13 publication to be made not later than July thirtieth.
- 14 2. The preliminary budget adopted by the governing body is subject to referral. The  
15 governing body shall put the issue before the qualified electors of the city, county,  
16 school district, or park district at a regular or special election if a petition is presented  
17 to that governing body in writing, signed by qualified electors of the city, county, school  
18 district, or park district equal in number to at least ten percent of the total vote cast in  
19 the city, county, or park district for the office of governor of the state at the last regular  
20 election, or at least ten percent of the total number of electors voting in the most  
21 recent election in the school district. The preliminary budget must contain a statement  
22 of the percentage and dollar amount of the increase or decrease in comparison to the  
23 previous year's budget and an estimate of the percentage and dollar amount of the

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

16        **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after  
17        December 31, 2021.