

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2433

Introduced by

Senators Wanzek, Christmann, Heitkamp, Solberg

Representatives Huether, Weisz

1 A BILL for an Act to provide for a nonprofit agricultural property acquisition impact fee on the
2 purchase price of agricultural property acquired by certain nonprofit corporations; and to
3 provide a continuing appropriation.

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

5 **SECTION 1. Nonprofit agricultural property acquisition impact fee on agricultural**
6 **property acquired by nonprofit corporation - Continuing appropriation.** A nonprofit
7 agricultural property acquisition impact fee is imposed upon the acquisition by a nonprofit
8 corporation entitled to acquire the property under section 10-06.1-10 of property classified as
9 agricultural property for property tax purposes. The fee is thirty percent of the purchase price
10 or market value, whichever is more, of the acquired property within the county. The fee
11 imposed by this section must be paid to the county treasurer and the county register of deeds
12 may not record a document transferring ownership of property subject to the fee under this
13 section unless the document is accompanied by the receipt of the county treasurer for the fee
14 imposed by this section. Fees collected by the county treasurer under this section must be
15 transferred to the state treasurer for deposit in a special fund in the state treasury known as the
16 agricultural property preservation fund. The agricultural property preservation fund is available
17 to the agriculture commissioner for agricultural property preservation projects in cooperation
18 with farmers, including projects to abate erosion, conserve or establish wetlands, or other
19 enhancement of the agricultural environment and may be used as matching funds for farmers
20 for such projects. If ownership of property subject to the fee under this section is transferred to
21 a farmer within twelve months after payment of the fee under this section, the fee is refundable
22 upon application to the agriculture commissioner by the entity that paid the fee. If less than the
23 entire parcel subject to the fee is transferred, the portion of the fee that is refundable is equal to
24 the portion of the property that is transferred to a farmer. Amounts necessary for refunds under

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- 1 this section are appropriated to the agriculture commissioner as a standing and continuing
- 2 appropriation from the agricultural property preservation fund.