

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2068

Introduced by

Finance and Taxation Committee

(At the request of the Tax Commissioner)

1 A BILL for an Act to amend and reenact subsection 6 of section 57-02-27.2 of the North Dakota
2 Century Code, relating to the valuation and assessment of inundated agricultural land for
3 property tax purposes; to provide an effective date; and to declare an emergency.

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

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

7 6. For purposes of this section, "inundated agricultural land" means property
8 classified as agricultural property containing a minimum of ten contiguous acres if
9 the value of the inundated land exceeds ten percent of the average agricultural
10 value of noncropland for the county, which is inundated to an extent making it
11 unsuitable for growing crops or grazing farm animals for ~~a full~~ two consecutive
12 growing season ~~seasons~~ or more, and which produced revenue from any source in
13 the most recent prior year which is less than the county average revenue per acre
14 for noncropland calculated by the agricultural economics department of the North
15 Dakota state university. Application for classification as inundated agricultural land
16 must be made in writing to the township assessor or county director of tax
17 equalization by March thirty-first of each year, except that for the year 2001, the
18 written application must be made within ninety days from the filing of this Act with
19 the secretary of state. Before all or part of a parcel of property may be classified
20 as inundated agricultural land, the board of county commissioners must approve
21 that classification for that property for the taxable year. The agricultural value of
22 inundated agricultural lands for purposes of this section must be determined by the
23 agricultural economics department of North Dakota state university to be ten
24 percent of the average agricultural value of noncropland for the county as

1 determined under this section. Valuation of individual parcels of inundated
2 agricultural land may recognize the probability that the property will be suitable for
3 agricultural production as cropland or for grazing farm animals in the future.

4 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
5 December 31, 2000.

6 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.