

August 2010

Introduced by

1 A BILL for an Act to create and enact a new subsection to section 40-58-20 of the North Dakota
2 Century Code, relating to exclusion of renaissance zone property from tax increment financing
3 districts; and to amend and reenact subsection 1 of section 40-63-03 of the North Dakota
4 Century Code, relating to exclusion of tax increment financing district property from renaissance
5 zones.

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

7 **SECTION 1.** A new subsection to section 40-58-20 of the North Dakota Century Code
8 is created and enacted as follows:

9 A lot or parcel of property may not be included in a development or renewal plan
10 approved after July 31, 2011, for tax increment financing purposes if that lot or
11 parcel of property is part of a renaissance zone under chapter 40-63.

12 **SECTION 2. AMENDMENT.** Subsection 1 of section 40-63-03 of the North Dakota
13 Century Code is amended and reenacted as follows:

14 1. A city may apply to the department of commerce division of community services to
15 designate a portion of that city as a renaissance zone if the following criteria are
16 met:

- 17 a. The geographic area proposed for the renaissance zone is located wholly
18 within the boundaries of the city submitting the application.
- 19 b. The application includes a development plan.
- 20 c. The proposed renaissance zone is not more than twenty-three square blocks,
21 except in a city with a population of greater than five thousand the
22 renaissance zone may exceed twenty-three square blocks at the rate of one
23 additional block for each additional five thousand population to a maximum

1 size of thirty-eight blocks. Population is based upon the most recent federal
2 decennial census.

3 If a city finds that renaissance zone projects have satisfactorily
4 completed one or more blocks within the renaissance zone, the city may apply
5 for and the department of commerce division of community services may
6 approve withdrawal of those blocks from the renaissance zone and
7 replacement of those blocks with other blocks that otherwise meet the
8 requirements of this chapter.

9 d. Except as provided under subdivision g, the proposed renaissance zone has
10 a continuous boundary and all blocks are contiguous.

11 e. The proposed land usage includes both commercial and residential property.

12 f. The application includes the proposed duration of renaissance zone status,
13 not to exceed fifteen years. Upon application by the city, the department of
14 commerce division of community services may extend the duration of
15 renaissance zone status in increments of up to five years.

16 g. The proposed renaissance zone may have a single exception to the
17 continuous boundary and contiguous block requirements under subdivision d
18 if the area of the excepted noncontiguous blocks does not exceed three
19 square blocks.

20 h. The department of commerce division of community services may not
21 designate a renaissance zone after July 31, 2011, if that renaissance zone
22 includes a lot or parcel of property that is included in a development or
23 renewal plan for tax increment financing purposes under section 40-58-20.