

Sixty-first  
Legislative Assembly  
of North Dakota

Introduced by

1 A BILL for an Act to amend and reenact subsections 35 and 36 of section 57-02-08 and section  
2 57-02-11 of the North Dakota Century Code, relating to property tax exemptions for new  
3 construction; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Subsections 35 and 36 of section 57-02-08 of the North  
6 Dakota Century Code are amended and reenacted as follows:

7 35. Up to seventy-five thousand dollars of the true and full value of all new  
8 single-family residential property, exclusive of the land on which it is situated, is  
9 exempt from taxation for the first two taxable years after the taxable year in which  
10 construction is begun if all of the following conditions are met:

- 11 a. The governing body of the city, for property within city limits, or the governing  
12 body of the county, for property outside city limits, has approved the  
13 exemption of the property by resolution. A resolution adopted under this  
14 subsection may be rescinded or amended at any time. The governing body of  
15 the city or county may limit or impose conditions upon exemptions under this  
16 subsection, including limitations on the time during which an exemption is  
17 allowed.
- 18 b. Special assessments and taxes on the property upon which the residence is  
19 situated are not delinquent.
- 20 c. The first owner after the builder resides on the property, or the builder still  
21 owns the property. For purposes of this subsection, "builder" includes a  
22 person who builds that person's own residence.

23 For purposes of this subsection, "single-family residential property" does not  
24 include condominium or townhouse property.

- 1           36.   Up to seventy-five thousand dollars of the true and full value of each unit of all new  
2                   condominium and townhouse residential property, exclusive of the land on which it  
3                   is situated, is exempt from taxation for the first two taxable years after the taxable  
4                   year in which construction is begun if all of the following conditions are met:
- 5                   a.   The governing body of the city, for property within city limits, or the governing  
6                   body of the county, for property outside city limits, has approved the  
7                   exemption of the property by resolution. A resolution adopted under this  
8                   subsection may be rescinded or amended at any time. The governing body of  
9                   the city or county may limit or impose conditions upon exemptions under this  
10                  subsection, including limitations on the time during which an exemption is  
11                  allowed.
- 12                  b.   Special assessments and taxes on the property upon which the condominium  
13                  or townhouse is situated are not delinquent.
- 14                  c.   The first owner, after the builder, who resides in the condominium or  
15                  townhouse unit still owns the property.

16           **SECTION 2. AMENDMENT.** Section 57-02-11 of the North Dakota Century Code is  
17 amended and reenacted as follows:

18           **57-02-11. Listing of property - Assessment thereof.** Property must be listed and  
19 assessed as follows:

- 20           1.   All real property subject to taxation must be listed and assessed every year with  
21                  reference to its value, on February first of that year.
- 22           2.   Whenever after the first day of February and before the first day of April in any  
23                  year, it is made to appear to the assessor by the oath of the owner that any  
24                  building, structure, or other improvement, or tangible personal property, which is  
25                  listed for taxation for the current year has been destroyed or injured by fire, flood,  
26                  or tornado, the assessor shall investigate the matter and deduct from the valuation  
27                  of the property of the owner of such destroyed property an amount which in the  
28                  assessor's judgment fairly represents such deduction as should be made.

29           **SECTION 3. EFFECTIVE DATE.** This Act is effective for taxable years beginning after  
30 December 31, 2008.