

**HOUSE BILL NO.**

Introduced by

Representative Berg

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 voter initiative of budgets of cities, counties, and school  
3 districts in biennial cycles; 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  
6 created and enacted as follows:

7 **Adoption and voter initiative of budgets of city, county, or school district in**  
8 **biennial cycles.** The governing body of a city, county, or school district at the time of adoption  
9 of its final budget for the current taxable year shall adopt a preliminary budget for the  
10 immediately succeeding taxable year. The governing body shall cause notice of the preliminary  
11 budget to be published in the official newspaper of the city, county, or school district at least  
12 once each week for two consecutive weeks.

13 1. The preliminary budget adopted by the governing body is subject to initiative rights  
14 of electors and the governing body shall put the issue before the qualified electors  
15 of the city, county, or school district at a regular or special election if within ninety  
16 days after adoption of the preliminary budget a petition in writing, signed by  
17 qualified electors of the city, county, or school district equal in number to at least  
18 ten percent of the total vote cast in the city, county, or school district for the office  
19 of governor at the last regular election is presented to that governing body directing  
20 an increase or decrease of a stated percentage in dollars in the preliminary budget.

21 2. If a majority of the qualified electors of the city, county, or school district voting on  
22 the question in an initiative election under subsection 1 approves an increase or  
23 decrease to the preliminary budget as adopted by the governing body, the

1                   governing body of the city, county, or school district shall adopt a final budget or  
2                   levy not exceeding the amount approved by the electors.

3                   3. If the preliminary budget of the city, county, or school district is not disapproved by  
4                   the electors of the taxing district, the final budget adopted by the city, county, or  
5                   school district governing board may not exceed the amount of the preliminary  
6                   budget.

7                   **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after  
8                   December 31, 2008.