

HOUSE BILL NO.

Introduced by

Representative Bellew

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 referral of preliminary budgets of cities, counties, and
3 school districts; 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 referral of preliminary budget of city, county, or school district.** The
8 governing body of a city, county, or school district shall adopt a preliminary budget by April
9 twentieth of each year. The governing body shall cause notice of the preliminary budget to be
10 published in the official newspaper of the city, county, or school district at least once each week
11 for two consecutive weeks, with the second publication to be made not later than April thirtieth.

12 1. The preliminary budget adopted by the governing body is subject to referral and
13 the governing body shall put the issue before the qualified electors of the city,
14 county, or school district at a regular or special election when a petition in writing,
15 signed by qualified electors of the city, county, or school district equal in number to
16 at least ten percent of the total vote cast in the city, county, or school district for the
17 office of governor of the state at the last regular election is presented to that
18 governing body. The preliminary budget must contain a statement of the
19 percentage increase or decrease in comparison to the previous year's budget and
20 an estimate of the percentage increase or decrease in property taxes for an
21 average property owner in the city, county, or school district.

22 2. If a majority of the qualified electors of the city, county, or school district voting on
23 the question in a referral election under subsection 1 disapprove the preliminary
24 budget as adopted by the governing body, the governing body of the city, county,

1 or school district may not adopt a final budget or levy exceeding the amount in
2 dollars levied by the city, county, or school district in the immediately preceding
3 taxable year, increased by an amount equal to the sum determined by application
4 of the immediately preceding taxable year's calculated mill rate for that taxing
5 district to the current year's taxable valuation of any taxable property that was not
6 taxable in the taxing district for the preceding year.

7 3. If the preliminary budget of the city, county, or school district is not disapproved by
8 the electors of the taxing district, the final budget adopted by the city, county, or
9 school district governing board may not exceed the amount in dollars of the
10 preliminary budget.

11 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
12 December 31, 2009.