

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1286

Introduced by

Representatives Kasper, Beadle, Brabandt, Dosch, Headland, Ruby, Streyle, Thoreson

Senators Burckhard, Campbell, Klein, Wardner

1 A BILL for an Act to create and enact section 21-03-06.1 of the North Dakota Century Code,
2 relating to voter approval of ~~public~~school district building projects funded through a building
3 authority or other indirect means.

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

5 **SECTION 1.** Section 21-03-06.1 of the North Dakota Century Code is created and enacted
6 as follows:

7 **21-03-06.1. ~~Voter~~School district voter approval of building authority or other indirect**
8 **funding methods - Building construction project approval.**

9 1. Notwithstanding any other provision of law, a ~~municipality or governing body of a~~
10 ~~municipality~~school board may not enter an agreement pursuant to internal revenue
11 service revenue ruling 63-20 under which payments of any kind would be required by
12 the ~~municipality~~school district to any building authority or other entity that incurs
13 indebtedness or other obligation in connection with acquisition, improvements, or
14 construction of any property or structure at a total cost of four million dollars or more to
15 be used by the ~~municipality~~school district unless the agreement has been approved by
16 a vote of ~~at least sixty percent~~a majority of the qualified electors of the
17 ~~municipality~~school district voting on the question at a regular or special school district
18 election if the agreement is for acquisition, improvements, or construction of any
19 property or structure for which an election would be required if the ~~municipality~~school
20 district undertook the acquisition, improvements, or construction project through
21 issuance of bonds of the ~~municipality~~school district. ~~The governing body of a city or~~
22 ~~county may not supersede this subsection under home rule authority. This subsection~~
23 ~~does not apply to buildings to be used primarily for fire protection, police, or~~
24 ~~emergency medical services.~~

- 1 | 2. The school board of a school district may not enter an agreement pursuant to internal
2 revenue service revenue ruling 63-20 under which payments of any kind would be
3 required by the school district to any building authority or other entity that incurs
4 indebtedness or other obligation regarding construction, purchase, repair,
5 improvement, modernization, or renovation of any building or facility to be used by the
6 school district without approval by the superintendent of public instruction in the
7 manner provided in section 15.1-36-01, if the approval by the superintendent of public
8 instruction would be required for the project under section 15.1-36-01 if the school
9 district undertook the project itself.