

February 19, 2013

PROPOSED AMENDMENTS TO SENATE BILL NO. 2314

Page 1, line 2, replace "certification that" with "determination of whether"

Page 1, line 2, after "sector" insert "or retail sector"

Page 1, line 3, after the semicolon insert "to provide for a legislative management study;"

Page 1, line 8, after the boldfaced period insert:

"1."

Page 1, line 18, replace "received" with ":

a. Received"

Page 1, line 20, after "40-57.1-02" insert:": or

b. Established by resolution or ordinance the criteria that will be applied by the governing body to determine whether it is appropriate to grant a partial or complete exemption from ad valorem taxation under this section for a project operating in the retail sector. Criteria established by the governing body under this subdivision, at a minimum, must be intended to require:

- (1) Evaluation of the potential positive or adverse consequences for existing retail sector businesses in the municipality from granting the exemption;
- (2) Evaluation of the short-term and long-term effects for other property taxpayers in the municipality from granting the exemption;
- (3) A written agreement with the project operator, including performance requirements for which the exemption may be terminated by the governing body of the municipality if those requirements are not met; and
- (4) Evaluation of whether the project operator would locate the project within the municipality without the exemption"

"2."

Page 2, line 7, after the period insert:

"3."

Page 2, line 25, after the period insert:

"4."

Page 3, line 8, after the period insert:

"5."

Page 3, after line 13, insert:

"SECTION 2. LEGISLATIVE MANAGEMENT STUDY. During the 2013-14 interim, the legislative management shall study methods to assure that an accurate and reliable means is developed to measure effectiveness and accountability of property tax exemptions and other economic development incentives granted by cities and counties and to determine whether other taxpayers in the city or county ultimately derive a measurable benefit from granting of the incentives. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly."

Renumber accordingly