

HOUSE BILL NO. 1392
with Senate Amendments
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Introduced by

Representatives Nathe, Dockter, Owens

Senators Cook, Poolman, Unruh

1 A BILL for an Act to create and enact a new section to chapter 40-22 of the North Dakota
2 Century Code, relating to adoption of municipal policy establishing special assessment
3 determination methods for allocation of assessments among and within classes of property; to
4 amend and reenact section 40-53.1-07 of the North Dakota Century Code, relating to the
5 disposition of the property of a dissolved city by a county.

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

7 **SECTION 1.** A new section to chapter 40-22 of the North Dakota Century Code is created
8 and enacted as follows:

9 **Municipal policy providing special assessment determination methods for allocation**
10 **of assessments among and within classes of property.**

11 Within five months of this section becoming applicable to a city, the governing body of each
12 city with a population exceeding ten thousand shall adopt written policies, after a public hearing
13 for consideration of the policies, which will be applied for cost allocation among properties
14 benefited by a special assessment project. Policies established under this section must provide
15 separately the policy that will be applied for cost allocation for each kind of special assessment
16 district and, within each kind of special assessment district, the cost allocation method for
17 residential, commercial, agricultural, and mobile home park property and for any property
18 subject to separate or special assessment factors or assessment rates.

19 **SECTION 2. AMENDMENT.** Section 40-53.1-07 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **40-53.1-07. Dissolution - Care of property - Manager - Disposition of funds.**

22 If a city is dissolved, the board of county commissioners shall assume control of all property
23 belonging to the dissolved city and shall employ a qualified person to manage and operate the
24 property and to collect all charges due from the operation of such property or dispose of the

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1 property in accordance with chapter 11-27. The person employed shall execute a bond to the
2 county in an amount determined by the board of county commissioners, conditioned that that
3 person will faithfully perform that person's duties and will promptly pay all money that person
4 receives to the county treasurer monthly on the first day of each month. The bond shall be
5 executed by the person employed and a surety company authorized to do business in the state.
6 The premium on the bond shall be paid by the board of county commissioners from city funds, if
7 any, and if none, from county funds.