

HOUSE BILL NO. 1220

Introduced by

Representative Louser

1 A BILL for an Act to create and enact chapter 57-64.1 of the North Dakota Century Code,
2 relating to direct payment of a property tax relief royalty to property owners; to repeal chapter
3 57-64 of the North Dakota Century Code, relating to the mill levy reduction grant program; and
4 to provide a contingent effective date.

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

6 **SECTION 1.** Chapter 57-64.1 of the North Dakota Century Code is created and enacted as
7 follows:

8 **57-64.1-01. Property tax relief royalty.**

9 A qualified taxpayer is entitled to a property tax relief royalty as provided in this chapter. The
10 amount of the royalty to which a qualified taxpayer is entitled is ninety mills times the taxable
11 valuation of the taxpayer's taxable property in this state.

12 **57-64.1-02. Certification by county auditors.**

13 Before March first of each year, the county auditor of each county shall certify to the state tax
14 commissioner on forms prescribed by the state tax commissioner the name and address of
15 each person to whom a property tax statement was sent for taxable property in the county for
16 the preceding year, the taxable valuation of the property covered by the tax statement, and any
17 other information prescribed by the tax commissioner.

18 **57-64.1-03. Claim of property tax relief royalty - Payment of property tax as condition**
19 **of claim.**

20 Any property taxpayer who owns taxable property in this state may claim a property relief tax
21 royalty by completing and filing a qualifying application with the tax commissioner for any
22 property tax relief royalty to which the taxpayer may be entitled for the preceding year. The
23 application must be on a form prescribed by the tax commissioner and must be filed with the tax
24 commissioner, with copies of property tax statements and evidence of payment for the

1 preceding year for any property for which the taxpayer is claiming any property tax relief royalty
2 under this chapter. To qualify for the property tax relief royalty for a property, the tax obligation
3 for the taxable year must have been paid in full or payable in installments and not delinquent.
4 Any person claiming the property tax relief royalty under this section shall sign a verified
5 statement of facts establishing the person's eligibility.

6 All forms necessary to effectuate this chapter must be prescribed, designed, and made
7 available by the tax commissioner. The county directors of tax equalization shall make these
8 forms available upon request.

9 **57-64.1-04. Audit, certification, and payment.**

10 Before June first of each year, the tax commissioner shall audit the applications, make the
11 required corrections, and issue payment to each eligible taxpayer in the sum of the amounts
12 computed by multiplying the applicant's properties' taxable valuation for the preceding year by
13 ninety mills.

14 Persons owning taxable property together, as spouses or otherwise, are entitled to only one
15 property tax relief royalty between or among them under this chapter. Persons owning taxable
16 property together, who are coowners of the property, are each entitled to a percentage of a full
17 property tax relief royalty under this chapter equal to their ownership interests in the property.
18 However, a property tax relief royalty may be claimed by, and made payable to, only the
19 property owner or owners as shown on the property tax statement and allocating the property
20 tax relief royalty between or among the owners is the responsibility of the recipient.

21 **SECTION 2. REPEAL.** Chapter 57-64 of the North Dakota Century Code is repealed.

22 **SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the general
23 fund in the state treasury, not otherwise appropriated, the sum of \$280,000,000, or so much of
24 the sum as may be necessary, to the tax commissioner for the purpose of payment of property
25 tax relief royalties under chapter 57-64.1, for the biennium beginning July 1, 2013, and ending
26 June 30, 2015.

27 **SECTION 4. CONTINGENT EFFECTIVE DATE.** This Act is effective January 1, 2015, for
28 payments of property tax relief royalties based on the 2014 taxable year if the tax commissioner
29 certifies to the governor and the legislative council that the qualified electors of the state have
30 approved an amendment to the Constitution of North Dakota at the primary or general election.

Sixty-third
Legislative Assembly

- 1 in 2014 which appears to allow direct payment to taxpayers of a property tax relief royalty as
- 2 provided in section 1 of this Act.