

**SENATE BILL NO. 2246**

Introduced by

Senators Andrist, Flakoll

Representatives Devlin, Kerzman, Wentz

1 A BILL for an Act to amend and reenact sections 40-24-16, 57-20-07.1, 57-20-08, and  
2 subsection 2 of section 57-22-21 of the North Dakota Century Code, relating to property tax  
3 receipts; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Section 40-24-16 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **40-24-16. County treasurer to certify and receipt for amount of special**  
8 **assessments collected - Contents of certificate - Procedure for abatement.** Special  
9 assessments of any kind certified to the county auditor by the city auditor shall be paid to the  
10 county treasurer and included in the statement required by section 57-02-07.1 and the receipt  
11 required by section 57-20-08. ~~In the event that~~ If the county treasurer receives less than the full  
12 amount of taxes and special assessments due at any time on any lot or tract of real estate, ~~he~~  
13 the county treasurer shall allocate the amount ~~of such payment received~~ between taxes and  
14 special assessments in proportion to the respective amounts of taxes and special assessments  
15 ~~which are then~~ due. When prorating any tax payment received prior to October fifteenth, the  
16 term "due", as it pertains to real estate taxes, shall include only the first installment of real  
17 estate taxes. Special assessments shall not be subject to abatement or refund by proceedings  
18 under chapter 57-23, but shall be reviewed and corrected only in the manner and upon the  
19 conditions provided in chapter 40-26. The county treasurer, at the time set by law for the  
20 payment to the city auditor of all the taxes and special assessments collected ~~by him~~ during the  
21 preceding month, shall certify the amounts of special assessments collected. The certificate  
22 shall state specifically the lot or known subdivision thereof as it appears on the tax books of the  
23 county treasurer, and the block, addition, amount collected, and the amount credited to each lot

1 or known subdivision thereof, and the year for which the sum was collected. The certificate  
2 shall be furnished to the city auditor.

3 **SECTION 2. AMENDMENT.** Section 57-20-07.1 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5 **57-20-07.1. County treasurer to mail real estate tax statement.** On or before  
6 December twenty-sixth of each year, the county treasurer shall mail a real estate tax statement  
7 to the owner of each parcel of real property at ~~his last known~~ the owner's last-known address.  
8 The statement must be provided in duplicate so the taxpayer may retain a copy as a receipt for  
9 payment of taxes as provided in the statement. If a parcel of real property is owned by more  
10 than one individual, the county treasurer shall send only one statement to one of the owners of  
11 that property. Additional copies of the tax statement will be sent to the other owners upon their  
12 request, and the furnishing of their names and addresses to the county treasurer. Such tax  
13 statements must include a dollar valuation of the true and full value as defined by law of the  
14 property and the total mill levy applicable. Failure of an owner to receive a statement will not  
15 relieve that owner of liability, nor extend the discount privilege past the February fifteenth  
16 deadline.

17 **SECTION 3. AMENDMENT.** Section 57-20-08 of the North Dakota Century Code is  
18 amended and reenacted as follows:

19 **57-20-08. Tax receipts ~~What to specify~~ ~~Numbered consecutively~~ ~~Duplicate~~**  
20 **~~copies filed with county auditor - Triplicate copies~~ Copies retained and filed numerically**  
21 **by county treasurer.** Upon the payment of any tax, the county treasurer shall give to the  
22 ~~person paying the same~~ county auditor a receipt therefor showing the name and post-office  
23 address of ~~such~~ the person who paid the tax, the amount and date of payment, the land, lot, or  
24 other property upon which the tax is levied, according to the description on the tax list, or in  
25 some other sufficient manner, and the year or years for which the tax was levied. If for current  
26 taxes on real estate, the receipt must have written or stamped across its face "taxes for" (giving  
27 the year in figures) or "first installment taxes" (giving the year in figures) or "second installment  
28 taxes" (giving the year in figures), as the case may be. Each year's tax must be on a separate  
29 receipt. If land has been sold for taxes, either to a purchaser or to the county, and the time for  
30 redemption from such sale has not expired, the receipt for such taxes must have written or  
31 stamped across the face "sold for taxes", with a statement of the years for which any of the real

1 estate described therein has been sold for taxes and not redeemed. The treasurer shall ~~make~~  
2 ~~triplicates of all receipts and shall return a duplicate copy~~ provide receipts at the end of each  
3 day to the county auditor, who shall file and preserve them in ~~his~~ the auditor's office charging  
4 the treasurer with the amount thereof. ~~The triplicate copy~~ A copy of each receipt must be  
5 preserved in the office of the county treasurer and filed in numerical order.

6 **SECTION 4. AMENDMENT.** Subsection 2 of section 57-22-21 of the North Dakota  
7 Century Code is amended and reenacted as follows:

8 2. The county auditor shall extend to and enter upon the tax list of real estate then in  
9 the hands of the county treasurer, for the year immediately preceding, opposite the  
10 descriptions of real estate designated by the board of county commissioners which  
11 belong to the personal property tax debtor, the year for which the personal property  
12 taxes are uncollected and the amount thereof. Such entry must be made without  
13 regard to any prior payment of real estate taxes on said descriptions, and the  
14 treasurer is without authority thereafter to issue ~~to the personal property tax debtor~~  
15 any receipt in full for said real estate taxes without making collection at the same  
16 time of the personal property taxes so extended; a taxpayer holding a specific  
17 superior lien on said descriptions ahead of personal property taxes charged  
18 thereon is entitled to tax receipts without regard to nonpayment of such inferior  
19 personal taxes.

20 **SECTION 5. EFFECTIVE DATE.** This Act is effective for taxable years beginning after  
21 December 31, 1998.