

HOUSE BILL NO. 1247

Introduced by

Representative Glassheim

1 A BILL for an Act to amend and reenact section 40-23-07 of the North Dakota Century Code,
2 relating to inspection of special assessment property.

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

4 **SECTION 1. AMENDMENT.** Section 40-23-07 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **40-23-07. Determination of special assessments by commission - Political**
7 **subdivisions not exempt.** Whenever the commission ~~is required to make~~ makes any special
8 assessment ~~under the provisions of this title, the members thereof personally shall inspect any~~
9 ~~and all lots and parcels of land which may be subject to such special assessment and~~
10 commission shall determine ~~from such inspection~~ the particular lots and parcels of land which,
11 in the opinion of the commission, will be especially benefited by the construction of the work for
12 which the assessment is to be made. The commission shall determine the amount in which
13 each of the lots and parcels of land will be especially benefited by the construction of the work
14 for which such special assessment is to be made, and shall assess against each of such lots
15 and parcels of land such sum, not exceeding the benefits, as shall be necessary to pay its just
16 proportion of the total cost of such work, or of the part thereof which is to be paid by special
17 assessment, including all expenses incurred in making such assessment and publishing
18 necessary notices with reference thereto and the per diem of the commission. However, as an
19 alternative to the procedure heretofore provided in this section, the special assessment
20 commission may, in its discretion, determine and allocate the cost of special assessments in
21 accordance with the method provided for in chapter 40-23.1. Benefited property belonging to
22 counties, cities, school districts, park districts, and townships, shall not be exempt from such
23 assessment, and such public corporations whose property is so assessed shall provide for the
24 payment of such assessments, installments thereof and interest thereon, by the levy of taxes

Fifty-sixth
Legislative Assembly

- 1 according to law. Nothing in this section shall be deemed to amend other provisions of law with
- 2 reference to the levy of assessments on property sold for delinquent taxes.