

SENATE BILL NO. 2348

Introduced by

Senators Lee, Robinson, Trenbeath

Representatives Herbel, Nottestad

1 A BILL for an Act to amend and reenact subsection 15 of section 57-02-01 of the North Dakota
2 Century Code, relating to the definition of true and full value for property tax assessment of
3 subsidized housing; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Subsection 15 of section 57-02-01 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 15. "True and full value" means the value determined by considering the earning or
8 productive capacity, if any, the market value, if any, and all other matters that affect
9 the actual value of the property to be assessed.

10 a. This ~~shall include~~ includes, for purposes of arriving at the true and full value of
11 property used for agricultural purposes, farm rentals, soil capability, soil
12 productivity, and soils analysis.

13 b. For purposes of arriving at the true and full value of subsidized housing, this
14 includes the value determined by use of the income approach and
15 consideration of only actual rental income and expenses.

16 (1) For purposes of this subdivision, "subsidized housing" means
17 single-family or multifamily residential real estate targeted for ownership
18 or occupancy by low-income or moderate-income households as a
19 result of public programs and other financial tools that assist or
20 subsidize the developer, purchaser, or tenant in exchange for
21 restrictions on use and occupancy.

22 (2) The owner seeking valuation of property under this subdivision shall file
23 a request for such valuation with the county director of tax equalization
24 by February first of each year. The request must be accompanied by a

1 schedule of rents collected and rental expenses incurred in the prior
2 year, information necessary to identify the property as subsidized
3 housing, and consent for assessment officials to review information
4 regarding the property in the possession of the housing finance agency,
5 department of housing and urban development, farmers home
6 administration, or other governmental agency or instrumentality.

7 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
8 December 31, 2000.