

SENATE BILL NO. 2203

Introduced by

Senator Wardner

1 A BILL for an Act to create and enact a new section to chapter 57-28 of the North Dakota
2 Century Code, relating to recovery of damages against the prior owner by the state or a political
3 subdivision that has received property under a tax deed.

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

5 **SECTION 1.** A new section to chapter 57-28 of the North Dakota Century Code is
6 created and enacted as follows:

7 **State or political subdivision action for damages against prior owner of**
8 **distressed property received under a tax deed.** In addition to the lien allowed under
9 subsection 2 of section 57-28-28, the state or a political subdivision that has received a tax
10 deed for property may obtain damages against the prior owner in the amount of costs to
11 improve salability of the property which were incurred by the state or political subdivision in
12 cleanup, repairs, demolition, or other action necessary because of damage, neglect, or waste
13 by the prior owner, including creation or deposit of, or failure to abate, hazardous waste on the
14 property. Section 32-03-09.1 does not apply to an action for damages under this section.