

Introduced by

1 A BILL for an Act to amend and reenact subsections 8 and 9 of section 57-02-27.2 of the North
2 Dakota Century Code, relating to establishment and use of modifiers for assessment of
3 agricultural property; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Subsection 8 of section 57-02-27.2 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 8. Each local assessor shall determine the relative value of each assessment parcel
8 within the assessor's jurisdiction and shall determine the agricultural value of each
9 assessment parcel by adjusting the agricultural value estimate for the assessment
10 district by the relative value of the parcel. Each parcel must then be assessed
11 according to section 57-02-27. If either a local assessor or a township board of
12 equalization develops an agricultural value for the lands in its assessment district
13 differing substantially from the estimate provided by the county director of tax
14 equalization, written evidence to support the change must be provided to the county
15 director of tax equalization. In determining the relative value of each assessment
16 parcel, the local assessor shall apply the following considerations, which are listed in
17 descending order of significance to the assessment determination:

- 18 a. Soil type and soil classification data from detailed or general soil surveys.
19 b. The schedule of modifiers ~~that must be used to adjust agricultural property~~
20 ~~assessments within the county as approved by the state supervisor of~~
21 ~~assessments~~ under subsection 9 and the guidelines established by the state
22 supervisor of assessments for application of those modifiers.
23 c. Actual use of the property for cropland or noncropland purposes by the owner of
24 the parcel.

- 1 9. Before February first of each year, the county director of tax equalization in each
2 county shall provide to all assessors of agricultural property within the county a copy of
3 the schedule of modifiers that under this subsection which must be used to adjust
4 agricultural property assessments within the county and ~~directions~~ a copy of the current
5 guidelines established by the state supervisor of assessments regarding how those
6 modifiers must be applied by assessors. ~~Before the schedule of modifiers is provided~~
7 ~~to assessors within the county, the county director of tax equalization shall obtain the~~
8 ~~approval of the state supervisor of assessments for use of the schedule within the~~
9 ~~county.~~ Modifiers may be applied to make a thirty percent reduction to the soil type
10 valuation of an area consisting of at least five contiguous acres of highly productive
11 soil type affected by conditions described for one or more of the allowable modifiers, if
12 the assessor makes a site inspection to confirm the existence of those conditions. The
13 following are the modifiers that may be applied to the highly productive soil type of an
14 agricultural property:
- 15 a. Inaccessibility, consisting of restricted access by farm implements due to
16 impediment by a watercourse, road, or gradient.
 - 17 b. Nonconformity, consisting of one or more relatively small areas of relatively
18 greater productivity soils which are uneconomical to cultivate due to the presence
19 of surrounding lesser productivity soils.

20 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
21 December 31, 2015.