

**Sixtieth Legislative Assembly of North Dakota  
In Regular Session Commencing Wednesday, January 3, 2007**

HOUSE BILL NO. 1332  
(Representatives Wieland, Aarsvold)  
(Senators Bowman, Triplett)

AN ACT to create and enact section 57-20-01.2 of the North Dakota Century Code, relating to waiver of penalties and interest on delinquent property taxes; to amend and reenact sections 15-08-19, 57-20-26, and 57-28-01 of the North Dakota Century Code, relating to the period of property tax delinquency before foreclosure of a tax lien; to provide an effective date; and to provide an expiration date.

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

**SECTION 1. AMENDMENT.** Section 15-08-19 of the North Dakota Century Code is amended and reenacted as follows:

**15-08-19. Taxation of and foreclosure of tax lien on property sold by state on deferred payment contract.** Property contracted to be sold by the state is subject to taxation from the date of the contract, and the taxes assessed thereon must be collected and enforced in the same manner as taxes against other property. If the contract is not canceled or if the contract has been canceled and the period of redemption has not yet run, the property upon which taxes are delinquent is subject to foreclosure of tax lien. After ~~four~~ two years from the date the tax became due, and after notice of foreclosure has been given as required in title 57, on the date of foreclosure, the county shall acquire such rights and interests as belonged to the holder and owner of the contract issued under the provisions of this chapter and only such rights. The county may assign its rights and interest at any time, and the assignee shall have the rights given by this section to the county. No tax deed may be issued upon any tax sale certificate while the legal title to the lands remains in the state of North Dakota.

**SECTION 2.** Section 57-20-01.2 of the North Dakota Century Code is created and enacted as follows:

**57-20-01.2. (Effective through October 1, 2011) Penalty and interest waiver.** The board of county commissioners may establish a policy to waive all or part of penalties and interest on delinquent real estate taxes if the board of county commissioners believes the reduced period for foreclosure of tax liens under this Act creates a hardship for taxpayers. The board shall apply the policy uniformly to all taxpayers.

**SECTION 3. AMENDMENT.** Section 57-20-26 of the North Dakota Century Code is amended and reenacted as follows:

**57-20-26. Treasurer to give notice of tax lien by mail.** Between the first and fifteenth of November of each year, the county treasurer shall mail to each owner of any lot or tract of land for which taxes are delinquent a notice giving the legal description of that lot or tract and stating that the taxes are delinquent and constitute a lien against the property. The notice must advise the owner that unless the delinquent taxes and special assessments with penalty, simple interest at the rate of twelve percent per annum from and after January first following the year in which the taxes become due and payable, and costs established under subsection 5 of section 57-28-04 are paid by October first of the ~~fourth~~ second year following the year in which the taxes became delinquent, the county auditor will foreclose on the tax lien and issue a tax deed to the county.

**SECTION 4. AMENDMENT.** Section 57-28-01 of the North Dakota Century Code is amended and reenacted as follows:

**57-28-01. Notice of foreclosure of tax lien to be given.** On or before June first in each year, the county auditor shall give notice of foreclosure of tax lien for all property for which ~~four~~ two or more years have passed since the tax became due.

**SECTION 5. EFFECTIVE DATE - EXPIRATION DATE.** Sections 1, 3, and 4 of this Act are effective for taxable years beginning after December 31, 2006. Property tax proceedings relating to property taxes due or delinquent for any taxable year prior to 2007 are subject to provisions of law that were in effect on December 31, 2006. Section 2 of this Act is effective through October 1, 2011, and is thereafter ineffective.

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Speaker of the House

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President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1332.

House Vote:      Yeas    87      Nays    5      Absent    2

Senate Vote:    Yeas    43      Nays    2      Absent    2

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Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2007.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2007.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2007,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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Secretary of State