

HOUSE BILL NO. 1253

Introduced by

Representatives Sukut, Hatlestad, D. Ruby, Steiner

Senators Bekkedahl, Krebsbach

1 A BILL for an Act to create and enact a new section to chapter 15.1-12 of the North Dakota
2 Century Code, relating to voluntary property transfers between school districts.

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

4 **SECTION 1.** A new section to chapter 15.1-12 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Voluntary transfer of property to school district - Hearing.**

- 7 1. The boards of two school districts may initiate a voluntary transfer of property between
8 the districts if each board:
- 9 a. Votes to pursue the transfer;
 - 10 b. Votes to approve the proposed adjustment of the district boundaries; and
 - 11 c. Files with the county superintendent a document evidencing compliance with this
12 subsection.
- 13 2. Upon receiving the requisite document from the board of each school district, the
14 county superintendent shall:
- 15 a. Forward a copy of the document to the county committee;
 - 16 b. Schedule a public hearing regarding the proposed transfer of property to be held
17 within sixty days after the date of filing; and
 - 18 c. Give notice of the public hearing regarding the proposed transfer of property to
19 the affected property owners by registered mail and publish notice of the public
20 hearing in the official newspaper of the county in which the major portion of each
21 affected school district's real property is situated, at least fourteen days before
22 the date of the hearing.
- 23 3. At the public hearing, the county committee shall consider:

- 1 a. The value and amount of property held by each school district affected by the
2 proposed transfer of property;
- 3 b. The amount of all outstanding bonded and indebtedness of each affected school
4 district;
- 5 c. The taxable valuation of each affected school district and the taxable valuation
6 under the proposed transfer of property;
- 7 d. The size and boundaries of each affected school district before and after the
8 proposed transfer of property;
- 9 e. The number of students enrolled in each affected school district before and after
10 the proposed transfer of property; and
- 11 f. Any other relevant factors.
- 12 4. Following the public hearing, the county committee shall approve or deny the property
13 transfer. If the property transfer is approved, the county superintendent shall forward
14 all minutes, records, documentary evidence, and other information regarding the
15 proceeding and the county committee's decision to the state board for final approval of
16 the property transfer. If the property transfer is denied, the boards jointly may appeal
17 the decision to the state board.
- 18 5. The state board shall conduct a hearing, consider testimony and documentary
19 evidence regarding the proposed property transfer, make specific findings, and
20 approve or deny the property transfer. If no opposition is presented at the hearing held
21 by the county committee and the committee approves the property transfer, the state
22 board may review the record of the county committee and give final approval to the
23 property transfer without holding a hearing.
- 24 6. If a proposed property transfer includes property in more than one county, the county
25 committee of the county in which the major portion of property to be transferred is
26 located has jurisdiction over the public hearing.
- 27 7. Any property transfer approved by the county committee and the state board becomes
28 effective on July first following the approval.