

**HOUSE BILL NO. 1157**

Introduced by

Representatives Vigesaa, Mooney, Silbernagel

Senators Erbele, Oehlke

1 A BILL for an Act to amend and reenact section 24-05-04 of the North Dakota Century Code,  
2 relating to county road machinery.

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

4 **SECTION 1. AMENDMENT.** Section 24-05-04 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **24-05-04. Contracts to be advertised - Requirements for rental contracts.**

7 1. ~~Any~~A purchase of county road machinery and any rental contract or agreement for the  
8 use of road machinery and other articles, except necessary repairs for road  
9 machinery, which exceeds the sum of fifty thousand dollars must be advertised as  
10 provided by law for the purchase of county supplies. The board of county  
11 commissioners may not enter ~~into~~ a rental contract or agreement for the use of road  
12 machinery and other articles for a longer period than twelve months from the date of  
13 the rental contract or agree to pay rental for the use of road machinery and other  
14 articles which would result in the lessor receiving rental at a rate in excess of twenty  
15 percent per year of the cash sale price of the road machinery or other articles, ~~which.~~  
16 The cash sale price of the road machinery and other articles must be clearly set forth  
17 in any rental contract for road machinery and other articles, and failure to include this  
18 data in any rental contract for the use of road machinery and other articles renders the  
19 rental contract void, ~~and any payments.~~ A payment made under ~~the~~ a void rental  
20 contract ~~are~~ is recoverable from the county commissioners making the contract, jointly  
21 and severally.

22 2. Notwithstanding the provisions of this section relating to the duration of rental  
23 contracts, the board of county commissioners may enter ~~into~~ lease-purchase  
24 agreements ~~under which the annual payments by the county do not exceed~~

1            ~~twenty~~forty thousand dollars for the road machinery and articles covered by this  
2            section; if those agreements provide for the complete performance and full payment of  
3            the purchase price of the machinery or articles within ~~five~~seven years from the date of  
4            the execution of the lease-purchase agreement according to section 44-08-01.1.