

**Sixty-fifth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2017**

HOUSE BILL NO. 1253
(Representatives Sukut, Hatlestad, D. Ruby, Steiner)
(Senators Bekkedahl, Krebsbach)

AN ACT to create and enact a new section to chapter 15.1-12 of the North Dakota Century Code, relating to voluntary property transfers between school districts.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Voluntary transfer of property to school district - Hearing.

1. The boards of two school districts may initiate a voluntary transfer of property between the districts if each board:
 - a. Votes to pursue the transfer;
 - b. Votes to approve the proposed adjustment of the district boundaries; and
 - c. Files with the county superintendent a document evidencing compliance with this subsection.
2. Upon receiving the requisite document from the board of each school district, the county superintendent shall:
 - a. Forward a copy of the document to the county committee;
 - b. Schedule a public hearing regarding the proposed transfer of property to be held within sixty days after the date of filing; and
 - c. Give notice of the public hearing regarding the proposed transfer of property to the affected property owners by registered mail and publish notice of the public hearing in the official newspaper of the county in which the major portion of each affected school district's real property is situated, at least fourteen days before the date of the hearing.
3. At the public hearing, the county committee shall consider:
 - a. The value and amount of property held by each school district affected by the proposed transfer of property;
 - b. The amount of all outstanding bonded and indebtedness of each affected school district;
 - c. The taxable valuation of each affected school district and the taxable valuation under the proposed transfer of property;
 - d. The size and boundaries of each affected school district before and after the proposed transfer of property;
 - e. The number of students enrolled in each affected school district before and after the proposed transfer of property; and
 - f. Any other relevant factors.

4. Following the public hearing, the county committee shall approve or deny the property transfer. If the property transfer is approved, the county superintendent shall forward all minutes, records, documentary evidence, and other information regarding the proceeding and the county committee's decision to the state board for final approval of the property transfer. If the property transfer is denied, the boards jointly may appeal the decision to the state board.
5. The state board shall conduct a hearing, consider testimony and documentary evidence regarding the proposed property transfer, make specific findings, and approve or deny the property transfer. If no opposition is presented at the hearing held by the county committee and the committee approves the property transfer, the state board may review the record of the county committee and give final approval to the property transfer without holding a hearing.
6. If a proposed property transfer includes property in more than one county, the county committee of the county in which the major portion of property to be transferred is located has jurisdiction over the public hearing.
7. Any property transfer approved by the county committee and the state board becomes effective on July first following the approval.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1253.

House Vote: Yeas 81 Nays 13 Absent 0

Senate Vote: Yeas 46 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2017.

Approved at _____ M. on _____, 2017.

Governor

Filed in this office this _____ day of _____, 2017,

at _____ o'clock _____ M.

Secretary of State