

**HOUSE BILL NO. 1351**

Introduced by

Representative Maragos

1 | A BILL for an Act to amend and reenact section ~~40-22-01~~57-15-01 of the North Dakota Century  
2 | Code, relating to approval of special assessment projects by elected governing bodies; and to  
3 | provide an effective date.

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

5 | ~~— **SECTION 1. AMENDMENT.** Section 40-22-01 of the North Dakota Century Code is~~  
6 | ~~amended and reenacted as follows:~~

7 | ~~— **40-22-01. Power of municipalities to defray expense of improvements by special**~~  
8 | ~~**assessments.**~~

9 | ~~— Any The elected governing body of any municipality, upon complying with the provisions of~~  
10 | ~~this chapter, may defray the expense of any or all of the following types of improvements by~~  
11 | ~~special assessments:~~

12 | ~~— 1. — The construction of a water supply system, or a sewerage system, or both, or any part~~  
13 | ~~thereof, or any improvement thereto or extension or replacement thereof, including the~~  
14 | ~~construction and erection of wells, intakes, pumping stations, settling basins, filtration~~  
15 | ~~plants, standpipes, water towers, reservoirs, water mains, sanitary and storm sewer~~  
16 | ~~mains and outlets, facilities for the treatment and disposal of sewage and other~~  
17 | ~~municipal, industrial, and domestic wastes, and all other appurtenances, contrivances,~~  
18 | ~~and structures used or useful for a complete water supply and sewerage system.~~

19 | ~~— 2. — The improvement of the municipal street system and any part thereof, including any~~  
20 | ~~one or more of the processes of acquisition, opening, widening, grading, graveling,~~  
21 | ~~paving, repaving, surfacing with tar, asphalt, bituminous, or other appropriate material,~~  
22 | ~~resurfacing, resealing, and repairing of any street, highway, avenue, alley, or public~~  
23 | ~~place within the municipality, and the construction and reconstruction of overhead~~  
24 | ~~pedestrian bridges, pedestrian tunnels, storm sewers, curbs and gutters, sidewalks,~~

1 and service connections for water and other utilities, and the installation, operation,  
2 and maintenance of streetlights and all types of decorative streetlighting, including but  
3 not restricted to Christmas streetlighting decorations.

4 ~~3. The improvement of boulevards and other public places by the planting of trees, the~~  
5 ~~construction of grass plots and the sowing of grass seed therein, and the maintenance~~  
6 ~~and preservation of such improvements by the watering of such trees and grass, the~~  
7 ~~cutting of such grass, and the trimming of such trees, or otherwise in any manner~~  
8 ~~which may appear necessary and proper to the governing body of the municipality.~~

9 ~~4. The acquiring of the necessary land and easements and the construction of the~~  
10 ~~necessary works, within and without the municipality, for flood protection of properties~~  
11 ~~within the municipality.~~

12 ~~5. The acquiring or leasing of the necessary property and easements and the~~  
13 ~~construction of parking lots, ramps, garages, and other facilities for motor vehicles.~~

14 ~~In planning an improvement project of a type specified in any one of the foregoing subsections,~~  
15 ~~the governing body may include in such plans any and all items of work and materials which in~~  
16 ~~its judgment are necessary or reasonably incidental to the completion of an improvement~~  
17 ~~project of such type.~~

18 **SECTION 1. AMENDMENT.** Section 57-15-01 of the North Dakota Century Code is  
19 amended and reenacted as follows:

20 **57-15-01. Levy in specific amounts - Exceptions.**

21 With the exception of ~~special assessment taxes and such~~ general taxes as may be  
22 definitely fixed by law, all state, county, city, township, and school ~~district~~, water, and park district  
23 taxes and special assessments must be levied or voted in specific amounts of money. Voting  
24 requirements under this section with respect to special assessments levied must be satisfied by  
25 a majority vote of the elected members of the governing body of the county, city, township, or  
26 school, water, or park district.

27 **SECTION 2. EFFECTIVE DATE.** This Act is effective for special assessment improvement  
28 projects initiated after July 31, 2017.