

HOUSE BILL NO. 1136

Introduced by

Representatives Kiefert, Bellew, Brandenburg, Christensen, Damschen

Senators Clemens, Conley, Dever

1 A BILL for an Act to amend and reenact section 57-28-20 of the North Dakota Century Code,
2 relating to the disposition of proceeds from tax lien foreclosures.

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

4 **SECTION 1. AMENDMENT.** Section 57-28-20 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **57-28-20. Disposition of proceeds of sales.**

7 All proceeds from the public or private sale of property under this chapter must be
8 apportioned as regular tax payments are apportioned among and within taxing districts in which
9 the property is located, as follows:

- 10 1. The county treasurer shall issue a regular tax receipt in the name of the county,
11 beginning with the earliest year for which the taxes are delinquent. Tax receipts must
12 be written for the original amount of the tax, without penalty and interest. If the
13 property was sold for an amount sufficient to cover all outstanding taxes and special
14 assessments, tax receipts must be written for all such years, and any remaining
15 amount in excess of the amount listed in the notice of foreclosure of tax lien must be
16 credited to the general fund of the county owner of the record title of the real estate
17 listed in the notice of foreclosure of tax lien.
- 18 2. If the property is sold under a contract, the county treasurer shall issue tax receipts,
19 beginning with the earliest year for which taxes or special assessments are delinquent,
20 without penalty and interest, and all subsequent payments made on the contract must
21 be applied to the earliest remaining unpaid taxes or special assessments. Any
22 payment under the contract after all taxes and special assessments are the amount
23 listed in the notice of foreclosure of tax lien is paid must be credited to the county-

1 general fundowner of the record title of the real estate listed in the notice of
2 foreclosure of tax lien.

3 3. If the property is sold for less than the total amount of the taxes due, the treasurer
4 shall write tax receipts beginning with the earliest year and for as many subsequent
5 years as the proceeds realized from the sale will satisfy, and the remainder of any
6 unpaid general taxes or special assessments must be canceled by the board of county
7 commissioners.