

Fifty-eighth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2331

Introduced by

Senators Kringstad, Kilzer, J. Lee

Representatives Carlisle, Meier

1 A BILL for an Act to create and enact a new section to chapter 11-11 and a new section to
2 chapter 40-05 of the North Dakota Century Code, relating to the expenditure of city and county
3 funds to assist programs and activities of nonprofit organizations.

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

5 **SECTION 1.** A new section to chapter 11-11 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Programs and activities of nonprofit organizations that assist the arts -**

8 **Expenditure of funds.** The board of county commissioners may establish or maintain
9 programs and activities for the benefit of nonprofit organizations that assist the arts, including
10 the expansion of existing programs. A board of county commissioners may expend funds
11 received from state, federal, or private sources for the public purposes provided for in this
12 section. A board of county commissioners may not make an expenditure under this section to
13 defray expenses or to assist an organization unless that organization is incorporated as a
14 nonprofit corporation and has contracted with the board of county commissioners with respect
15 to the manner in which the funds will be expended and services provided. The board of county
16 commissioners shall review annually an organization that receives funds under this section to
17 determine the organization's eligibility to receive public funds. As used in this section,
18 "nonprofit organizations that assist the arts" mean organizations recognized by the North
19 Dakota council on the arts.

20 **SECTION 2.** A new section to chapter 40-05 of the North Dakota Century Code is
21 created and enacted as follows:

22 **Programs and activities for nonprofit organizations that assist the arts -**

23 **Expenditure of funds.** The governing body of any city or park district may establish or
24 maintain programs and activities for the benefit of nonprofit organizations that assist the arts,

1 including the expansion of existing programs. The governing body may expend funds received
2 from state, federal, or private sources for the public purposes provided for in this section. The
3 governing body may not make an expenditure under this section to defray expenses or to assist
4 an organization unless that organization is incorporated as a nonprofit corporation and has
5 contracted with the governing body with respect to the manner in which the funds will be
6 expended and services provided. The governing body shall review annually an organization
7 that receives funds under this section to determine the organization's eligibility to receive public
8 funds. As used in this section, "nonprofit organizations that assist the arts" mean organizations
9 recognized by the North Dakota council on the arts.