

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1308

Introduced by

Representatives Gulleson, Delmore

Senators Every, Fischer, J. Lee

1 A BILL for an Act to amend and reenact sections 54-16-04.1 and 54-16-04.2 of the North
2 Dakota Century Code, relating to acceptance of grants by state entities.

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

4 **SECTION 1. AMENDMENT.** Section 54-16-04.1 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-16-04.1. May authorize acceptance and disbursement of federal funds.** The
7 emergency commission with the advice and counsel of the executive office of the budget may
8 authorize the state treasurer to receive any moneys not appropriated by the legislative
9 assembly which are made available by any federal agency and which the legislative assembly
10 has not indicated an intent to reject. The emergency commission may authorize passthrough
11 federal funds from one state agency to another state agency. The emergency commission,
12 with approval of the budget section of the legislative council if the amount under consideration
13 exceeds ~~forty five~~ fifty five hundred thousand dollars, may authorize any state officer to expend federal
14 moneys from the date such moneys become available until June thirtieth following the next
15 regular legislative session. The expenditures must be consistent with state law and with the
16 terms of the grant and the program may not commit the legislative assembly for matching funds
17 in the future unless the program has first been approved by the legislative assembly. A state
18 officer may not expend funds received from the federal government which have not been
19 specifically appropriated by the legislative assembly except as provided in this chapter. A state
20 officer shall submit an expenditure plan with a request for approval under this section of
21 expenditure of federal funds combined with or as part of a block grant for a new or existing
22 program.

23 **SECTION 2. AMENDMENT.** Section 54-16-04.2 of the North Dakota Century Code is
24 amended and reenacted as follows:

1 **54-16-04.2. Commission may authorize acceptance and expenditure of moneys -**
2 **Exception.**

3 1. The emergency commission, upon the advice of the office of management and
4 budget, with approval of the budget section of the legislative council if the amount
5 under consideration exceeds ~~fifty~~ five hundred thousand dollars, may authorize a
6 state officer to receive moneys from gifts, grants, donations, or other sources, not
7 otherwise appropriated by the legislative assembly, for new or existing programs if
8 the legislative assembly has not indicated an intent to reject the moneys or the
9 program. The emergency commission may authorize the state officer to expend
10 money received under this section from the date the money becomes available
11 until June thirtieth following the next regular legislative session.

12 2. Upon providing written notice to the emergency commission and the budget
13 section of the legislative council, a state officer may receive moneys from grants,
14 not otherwise appropriated by the legislative assembly, in an amount not
15 exceeding five hundred thousand dollars if the acceptance of the moneys is
16 consistent with state law, the legislative assembly has not indicated an intent to
17 reject the moneys or the program for which the moneys are provided, and the
18 acceptance of the moneys does not commit the legislative assembly for matching
19 funds in the future.