

Sixtieth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2344

Introduced by

Senators G. Lee, Klein

Representatives Belter, Carlson, DeKrey

1 A BILL for an Act to amend and reenact sections 15-10-17.4 and 15.1-35-08 of the North  
2 Dakota Century Code, relating to the provision of catering services by institutions of higher  
3 education and school districts.

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

5 **SECTION 1. AMENDMENT.** Section 15-10-17.4 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **15-10-17.4. Contract - Preparation and provision of meals - Policy.** An institution  
8 under the control of the state board of higher education may enter a contract to prepare and  
9 provide meals, snacks, or other food services for persons or programs not affiliated with the  
10 institution and may provide catering services for an event that is not held on property owned by  
11 the institution if the event is organized predominantly for persons affiliated with the institution,  
12 the event is held predominantly for persons enrolled in the institution, or the event is held under  
13 the auspices of the institution, provided the institution first establishes a policy regarding such  
14 ~~contracts~~ services and specifically ~~addressing~~ addresses issues related to competition with  
15 private sector entities. An institution under the control of the state board of higher education  
16 may not advertise to the general public its willingness to provide ~~meals, snacks, or other food~~  
17 ~~services for persons or programs not affiliated with the institution~~ the services permitted under  
18 this section.

19 **SECTION 2. AMENDMENT.** Section 15.1-35-08 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21 **15.1-35-08. Contract - Preparation and provision of meals.**

22 1. The board of a school district may enter into a contract to prepare and provide  
23 meals, snacks, or other food services for persons or programs not affiliated with  
24 the school district and may provide catering services for an event not held on

1           ~~property of the school district, provided any person that wishes to enter a contract~~  
2           ~~with the board under this section first demonstrates to the satisfaction of the board~~  
3           ~~that there are no~~ if the event is organized predominantly for persons affiliated with  
4           ~~the school district, the event is held predominantly for persons enrolled in or~~  
5           ~~employed by the school district, or the event is held under the auspices of the~~  
6           ~~district, provided the board of the district first establishes a policy regarding such~~  
7           ~~services and specifically addresses issues related to competition with private~~  
8           ~~sector entities able and willing to enter into such a contract.~~

9           2. The board of a school district may not advertise to the general public its willingness  
10           ~~to provide meals, snacks, or other food services for persons or programs not~~  
11           ~~affiliated with the district~~ the services permitted under this section.

12           ~~3. An institution under the control of the state board of higher education may not~~  
13           ~~advertise to the general public its willingness to provide meals, snacks, or other~~  
14           ~~food services for persons or programs not affiliated with the institution.~~