

HOUSE BILL NO. 1031

Introduced by

Legislative Council

(Employee Benefits Programs Committee)

1 A BILL for an Act to amend and reenact section 54-06-31 of the North Dakota Century Code,
2 relating to state recruitment and retention bonus programs.

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

4 **SECTION 1. AMENDMENT.** Section 54-06-31 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-06-31. State employee recruitment and retention bonus programs - Criteria -**
7 **Limitations.** State agencies may develop programs to provide bonuses to recruit or retain
8 employees in hard-to-fill occupations.

- 9 1. State agencies may pay recruitment and retention bonuses under this section only
10 if:
- 11 a. The agency has a written policy in place identifying eligible positions or
12 occupations and provisions for providing and receiving bonuses;
 - 13 b. The agency has filed a copy of the written policy with the North Dakota human
14 resource management services; and
 - 15 c. The agency reports to the North Dakota human resource management
16 services each bonus provided to an employee under the program.
- 17 2. State agencies must fund bonus programs from within the agency salaries and
18 wages budget.
- 19 3. The North Dakota human resource management services shall periodically report
20 to a legislative committee designated by the legislative council on the
21 implementation, progress, and bonuses provided under agency recruitment and
22 retention bonus programs.
- 23 4. Bonuses paid under this section are not fiscal irregularities under section
24 54-14-03.1.

1 5. As used in this section, a hard-to-fill occupation includes an occupation or position
2 in which demand exceeds supply, special qualifications are required, competition
3 with other employers is the strongest, there is a risk of losing an incumbent with
4 rare skills, the position is filled by a highly skilled employee who is in high demand
5 in the marketplace, loss of the employee would result in significant replacement
6 costs, the position is filled by key personnel, or the position has other unique
7 recruitment or retention issues identified and documented by the appointing
8 authority.