

**FIRST ENGROSSMENT
with House Amendments**

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2443

Introduced by

Senator Christmann

(Approved by the Delayed Bills Committee)

1 A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota
2 Century Code, relating to facility relocation cost recovery due to implementation of the
3 American Recovery and Reinvestment Act of 2009; and to provide an expiration date.

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

5 **SECTION 1.** A new section to chapter 24-01 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Cost recovery for relocation of utility facilities due to implementation of the**
8 **American Recovery and Reinvestment Act of 2009.** Notwithstanding any other provision of
9 state law, costs associated with changing, removing, relocating, or installing utility property as a
10 result of or caused by a project funded through implementation of the American Recovery and
11 Reinvestment Act of 2009 [Pub. L. 111-5] must be paid to the affected utility by the state or the
12 political subdivision from funds provided by the Act, if allowed by federal law, as part of the
13 costs of the project. The payment does not constitute a violation of a legal contract.

14 **SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2011, and
15 after that date is ineffective.