

HOUSE BILL NO. 1494

Introduced by

Representatives Mock, Heinert, Ista, M. Ruby, Schauer, Stemen, Vetter

Senator Meyer

1 A BILL ~~for an Act to create and enact a new section to chapter 54-60 of the North Dakota~~
2 ~~Century Code, relating to a law enforcement grant program; to provide for a legislative-~~
3 ~~management report; to provide a penalty; and to provide an appropriation.~~for an Act to provide
4 for a legislative management study of law enforcement and correctional officer recruitment,
5 retention, turnover, and training.

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

7 ~~—~~**SECTION 1.** ~~A new section to chapter 54-60 of the North Dakota Century Code is created~~
8 ~~and enacted as follows:~~

9 ~~—~~**Law enforcement officer retention program - Grants - Penalty - Report to legislative**
10 **management.**

11 ~~—~~1. For purposes of this section:

12 ~~—~~a. "Employer" means the North Dakota state university police department, the North
13 Dakota state college of science police department, the university of North Dakota
14 police department, a county sheriff's department, or a city police department.

15 ~~—~~b. "Law enforcement officer" means an individual who is licensed to perform peace-
16 officer law enforcement duties under chapter 12-63 and employed by an
17 employer. The term does not include an individual eligible for the retention bonus
18 program under section 54-06-31.

19 ~~—~~2. The department of commerce shall establish and implement a law enforcement officer
20 retention program for the retention of law enforcement officers through grants to
21 employers.

22 ~~—~~3. Subject to legislative appropriations, each biennium the department of commerce shall
23 award one dollar in matching grants for every two dollars dedicated by an employer for
24 the retention of law enforcement officers.

- 1 ~~4. The department of commerce shall give preference to employers that include~~
- 2 ~~professional development requirements in the written policy under subsection 6.~~
- 3 ~~5. If the remaining funds are insufficient to provide a matching grant as specified under~~
- 4 ~~subsection 3, the department of commerce may award a lesser amount.~~
- 5 ~~6. To be eligible for a grant under this section, a law enforcement officer's employer shall:~~
- 6 ~~a. Have a written policy identifying eligible positions and provisions for providing~~
- 7 ~~and receiving bonuses;~~
- 8 ~~b. Submit a copy of the written policy to the department of commerce;~~
- 9 ~~c. Submit an application for matching funds to the department of commerce; and~~
- 10 ~~d. Provide a report to the department of commerce for each bonus awarded under~~
- 11 ~~the program.~~
- 12 ~~7. In addition to the eligibility requirements under subsection 6, a law enforcement officer~~
- 13 ~~is eligible to receive a retention bonus under this section if:~~
- 14 ~~a. The law enforcement officer has been a sworn officer with the employer for at~~
- 15 ~~least one year before a bonus is awarded; and~~
- 16 ~~b. The law enforcement officer has not received a bonus under this section within~~
- 17 ~~the past two years.~~
- 18 ~~8. A retention bonus may not exceed ten percent of the law enforcement officer's annual~~
- 19 ~~salary. If within two years the law enforcement officer who receives a bonus under this~~
- 20 ~~section is no longer employed by the employer who awarded the bonus, the law~~
- 21 ~~enforcement officer shall return the bonus and the employer shall return any grant~~
- 22 ~~funds to the department of commerce.~~
- 23 ~~9. If a law enforcement officer fails to return a bonus under subsection 8, the attorney~~
- 24 ~~general shall order and collect a civil penalty not to exceed the amount of the bonus.~~
- 25 ~~10. By May first of each even numbered year, the department of commerce shall provide a~~
- 26 ~~report to the legislative management on the implementation, progress, and bonuses~~
- 27 ~~provided under this section.~~
- 28 ~~11. Bonuses paid under this section are not fiscal irregularities under section 54-14-03.1.~~
- 29 ~~12. The department of commerce shall adopt any rules necessary to implement this~~
- 30 ~~section.~~

1 ~~— **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general-~~
2 ~~fund in the state treasury, not otherwise appropriated, the sum of \$250,000, or so much of the~~
3 ~~sum as may be necessary, to the department of commerce for the purpose of implementing the~~
4 ~~law enforcement retention program, for the biennium beginning July 1, 2021, and ending~~
5 ~~June 30, 2023.~~

6 **SECTION 1. LAW ENFORCEMENT AND CORRECTIONAL OFFICERS - LEGISLATIVE**
7 **MANAGEMENT STUDY.** During the 2021-22 interim, the legislative management shall consider
8 studying the recruitment, retention, turnover, and training of law enforcement and correctional
9 officers employed by state agencies and political subdivisions. The study may include a review
10 of current and historical rates of retention and turnover, the training and professional
11 development offered and required of law enforcement and correctional officers, and an analysis
12 of the compensation and benefits of law enforcement and correctional officers employed by
13 state agencies, political subdivisions, and comparable positions in other states within the region.
14 The legislative management shall report its findings and recommendations, together with any
15 legislation required to implement the recommendations to the sixty-eighth legislative assembly.