

**HOUSE BILL NO. 1242**

Introduced by

Representatives Bosch, Heinert, Nathe, Porter

Senators Axtman, Davison, Larson

1 | A BILL for an Act to amend and reenact ~~section 37-17.3-12 and~~ subsection 2 of section  
 2 | 57-40.6-02 of the North Dakota Century Code, relating to the statewide interoperable radio  
 3 | network; to repeal section 6 of chapter 293 of the 2019 Session Laws, relating to a line of credit  
 4 | authorized for the statewide interoperable radio network project; to provide an appropriation; to  
 5 | provide for a transfer; to provide for a legislative management study; and to declare an  
 6 | emergency.

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

8 | ~~SECTION 1. AMENDMENT. Section 37-17.3-12 of the North Dakota Century Code is~~  
 9 | ~~amended and reenacted as follows:~~

10 | ~~37-17.3-12. Statewide interoperable radio network fund.~~

11 | ~~1. A fund known as the statewide interoperable radio network fund must be maintained in~~  
 12 | ~~the state treasury. Subject to legislative approval and statewide interoperability~~  
 13 | ~~executive committee department of emergency services approval, moneys in the fund~~  
 14 | ~~must be used for providing the required state share of funding for expenses~~  
 15 | ~~associated with the purchase, installation, operation, and maintenance of a statewide~~  
 16 | ~~interoperable radio network. The fund consists of all moneys transferred into the fund,~~  
 17 | ~~interest earned on moneys in the fund, payments to the fund, and other fund earnings.~~

18 | ~~2. The chief information officer of the information technology department director of the~~  
 19 | ~~division of homeland security may apply for and accept funds, grants, gifts, or services~~  
 20 | ~~made available for the statewide interoperable radio network by an agency or~~  
 21 | ~~department of the federal government or any other person. Any funds, grants, or gifts,~~  
 22 | ~~or moneys received from services received under this section must be deposited in the~~  
 23 | ~~statewide interoperable radio network fund.~~

1 ~~3. Revenue received by a political subdivision in accordance with subsection 2 of section~~  
2 ~~57-40.6-02 must be remitted to the state treasurer for deposit in the statewide~~  
3 ~~interoperable radio network fund.~~

4 **SECTION 1. AMENDMENT.** Subsection 2 of section 57-40.6-02 of the North Dakota  
5 Century Code is amended and reenacted as follows:

- 6 2. A political subdivision shall add a fee of fifty cents to the fee imposed on assessed  
7 communications services established under subsection 1. The additional fifty cents per  
8 communication connection must be remitted to the state treasurer for deposit in the  
9 statewide interoperable radio network fund in accordance with section 37-17.3-12 for  
10 implementing ongoing administrative and operational maintenance costs of the  
11 statewide interoperable radio network. The funds collected under this subsection must  
12 be expended in a manner consistent with the recommendations of the statewide  
13 interoperability executive committee~~by the department of emergency services in~~  
14 ~~accordance with legislative appropriations.~~

15 **SECTION 2. TRANSFER - BANK OF NORTH DAKOTA PROFITS TO STATEWIDE**  
16 **INTEROPERABLE RADIO NETWORK FUND.** The Bank of North Dakota shall transfer the  
17 sum of \$20,000,000, or so much of the sum as may be necessary, from the Bank's current  
18 earnings and undivided profits to the statewide interoperable radio network fund during the  
19 biennium beginning July 1, 2023, and ending June 30, 2025.

20 **SECTION 3. APPROPRIATION - INFORMATION TECHNOLOGY DEPARTMENT - LINE**  
21 **OF CREDIT REPAYMENT - STATEWIDE INTEROPERABLE RADIO NETWORK FUND -**  
22 **ONE-TIME FUNDING.** There is appropriated out of any moneys in the statewide interoperable  
23 radio network fund in the state treasury, not otherwise appropriated, the sum of \$20,000,000, or  
24 so much of the sum as may be necessary, to the information technology department for the  
25 purpose of repaying the Bank of North Dakota line of credit authorized in section 6 of  
26 chapter 293 of the 2019 Session Laws, for the biennium beginning July 1, 2023, and ending  
27 June 30, 2025. This funding is considered a one-time funding item.

28 **SECTION 4. APPROPRIATION - INFORMATION TECHNOLOGY DEPARTMENT -**  
29 **STATEWIDE INTEROPERABLE RADIO NETWORK PROJECT - FEDERAL STATE FISCAL**  
30 **RECOVERY FUND - ONE-TIME FUNDING.** There is appropriated from federal funds derived  
31 from the state fiscal recovery fund, not otherwise appropriated, the sum of \$80,000,000, or so

1 much of the sum as may be necessary, to the information technology department for the  
2 purpose of the statewide interoperable radio network project, for the biennium beginning July 1,  
3 2023, and ending June 30, 2025. This funding is considered a one-time funding item.

4 ~~SECTION 6. APPROPRIATION -- ADJUTANT GENERAL -- STATEWIDE~~

5 ~~INTEROPERABLE RADIO NETWORK MAINTENANCE -- STATEWIDE INTEROPERABLE~~

6 ~~RADIO NETWORK FUND. There is appropriated out of any moneys in the general fund in the~~

7 ~~state treasury, not otherwise appropriated, the sum of \$1,858,240, or so much of the sum as~~

8 ~~may be necessary, and any moneys in the statewide interoperable radio network fund, not~~

9 ~~otherwise appropriated, the sum of \$12,335,556, or so much of the sum as may be necessary,~~

10 ~~to the adjutant general for the purpose of paying ongoing administrative and operational~~

11 ~~maintenance costs of the statewide interoperable radio network, for the biennium beginning~~

12 ~~July 1, 2023, and ending June 30, 2025.~~

13 **SECTION 5. LEGISLATIVE MANAGEMENT STUDY - EMERGENCY AND**

14 **INTEROPERABLE PUBLIC SAFETY COMMUNICATIONS SYSTEM GOVERNANCE.** During

15 the 2023-24 interim, the legislative management shall consider studying emergency and

16 interoperable public safety communications system governance needs and options. The study

17 must:

- 18 1. Include an analysis of options to manage and operate state and local emergency and  
19 interoperable public safety systems, including the statewide interoperable radio  
20 network;
- 21 2. Evaluate the current and most appropriate governance roles for each state and local  
22 emergency and interoperable public safety government entity;
- 23 3. Determine the most appropriate state or local emergency and interoperable public  
24 safety government entity to have responsibility for the ongoing administrative and  
25 operational maintenance cost of the statewide interoperable radio network; and
- 26 4. Consider input from the information technology department, department of emergency  
27 services division of state radio, statewide interoperability executive committee,  
28 emergency services communications coordinating committee, North Dakota  
29 association of counties, and local public safety entities.

30 The legislative management shall report its findings and recommendations, together with any

31 legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

- 1        **SECTION 6. REPEAL.** Section 6 of chapter 293 of the 2019 Session Laws is repealed.
- 2        **SECTION 7. EMERGENCY.** This Act is declared to be an emergency measure.