

EDUCATION

CHAPTER 150

SENATE BILL NO. 2302

(Senators Patten, Beard, Kessel)
(Representatives Hagert, Novak, Porter)

AN ACT to amend and reenact sections 15-01-02 and 15-05-09 of the North Dakota Century Code, relating to the powers of the board of university and school lands and leases on state lands.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-01-02 of the North Dakota Century Code is amended and reenacted as follows:

15-01-02. Powers - Control of public lands and permanent funds.

The board has:

1. Full control of the selection, appraisalment, rental, sale, disposal, and management of:
 - a. Lands donated or granted by or received from the United States or from any other source for the support and maintenance of the common schools.
 - b. All lands which fall to the state by escheat.
 - c. All lands donated or granted by or received from the United States or from any other source for the maintenance of the educational, penal, or charitable institutions.
 - d. All lands acquired by the state through the investment of the permanent school funds of the state as the result of mortgage foreclosure or otherwise.
2. Full control of the investment of the permanent funds derived from the sale of any of the lands described in subsection 1.
3. Full control of such percent of the proceeds of any sale of public lands as may be granted to the state by the United States on such sale.
4. Full control of the proceeds of any property that fall to the state by escheat and of the proceeds of all gifts and donations to the state for the support or maintenance of the common schools, and of all other property otherwise acquired by the state for the maintenance of the common schools. Any gift to the state not specifically appropriated to any other purpose must be considered as a gift for the support and maintenance of the common schools.

5. Authority to expend moneys for the purpose of making refunds in cases in which an error has been made by the board, or a person dealing with the board, with regard to any of the lands, minerals, funds, proceeds, or any other kind of property managed by the board. Moneys expended to make refunds must come from the same fund or account into which the money to be refunded was originally placed.
6. Authority to award and distribute energy infrastructure and impact grants from moneys deposited in the oil and gas impact grant fund, except that grants awarded annually may not exceed sixty percent of the biennial appropriation for energy infrastructure and impact grants. The board may create an advisory committee to assist the board in making its grant award determinations.
7. Authority to adopt policies and rules necessary to carry out the responsibilities of the board in conformity with any statute administered or enforced by the board.

SECTION 2. AMENDMENT. Section 15-05-09 of the North Dakota Century Code is amended and reenacted as follows:

15-05-09. Leases for oil, gas, and other products.

The board of university and school lands may ~~lease~~:

1. Lease any lands under its control believed to contain resources, including oil, gas, coal, cement materials, sodium sulfate, sand and gravel, road material, building stone, chemical substances, metallic ores, critical minerals, rare earth elements, colloidal or other clays, or other naturally occurring elements and their compounds, ~~and may make~~;
2. Cancel a lease if it is discovered that a lessee intends to hinder or block development of the resources; and
3. Make and establish rules and regulations for development, drilling, and mining operations.

Approved March 28, 2025

Filed March 31, 2025

CHAPTER 151

HOUSE BILL NO. 1437

(Representatives Motschenbacher, Hauck, J. Johnson, Klemm, Lefor, Meier, Rohr,
Docker)
(Senators Larson, Rummel, Dwyer)

AN ACT to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to academic tenure policy at institutions of higher education.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

⁵¹ **SECTION 1.** A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

Academic tenure - Policy - Evaluations.

1. By July 1, 2026, institutions of higher education under the control of the state board of higher education offering faculty academic tenure shall develop and adopt a policy for tenured and tenure-track faculty employed by the institution, which:
 - a. Defines progression and advancement criteria at each stage of tenure progression, including criteria for continued post-tenure review.
 - b. Establishes a procedure for annual evaluation of all nontenure, tenure-track, and tenured faculty by the president of the institution or the designee of the president.
 - c. Establishes a procedure for post-tenure evaluations, which must be informed by the annual evaluations under subdivision b and conducted by a committee appointed by the president of the institution or the designee of the president. The first post-tenure evaluation must be completed within three years. Subsequent post-tenure evaluations must be completed at least every five years or more frequently.
 - d. Provides the composition of a culminating post-tenure evaluation committee must include the administrative supervisor of the faculty member being evaluated, at least one ranking administrator, and tenured faculty comprising no less than one-third and no more than one-half of the committee.
 - e. Defines the outcome of an unsatisfactory review of post-tenured faculty, which may be removal from the position. The decision to remove faculty from a position must be made by the employing institution and the state board of higher education.
 - f. Is approved by the state board of higher education.

⁵¹ Section 15-10-13.4 was amended by section 24 of Senate Bill No. 2003, chapter 36.

2. Advertisement of open faculty positions by institutions of higher education under the control of the state board of higher education offering faculty academic tenure must designate the position as nontenure-track or tenure-track. Upon offering a tenure-track position to a candidate, the institution shall provide the candidate the policy required under this section.

Approved April 15, 2025

Filed April 17, 2025

CHAPTER 152

HOUSE BILL NO. 1529

(Representatives Schneider, Conmy, Dobervich, Hager, Meier, Murphy, Pyle,
Schreiber-Beck)
(Senators Boschee, Davison, Hogan)

AN ACT to amend and reenact subsection 2 of section 15-10-19.1 of the North Dakota Century Code, relating to resident student tuition for peace corps volunteers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 15-10-19.1 of the North Dakota Century Code is amended and reenacted as follows:

2. A "resident student" for tuition purposes means:
 - a. An individual whose guardian, custodial parent, or parents are legal residents of this state and have resided in this state for twelve months, or a dependent child whose custodial parent moved into the state with the intent to establish legal residency for a period of years within the last twelve months immediately prior to the beginning of the academic term;
 - b. An individual of age eighteen or over who is a legal resident of this state and has resided in this state after reaching age eighteen for twelve months immediately prior to the beginning of the academic term;
 - c. An individual who graduated from a North Dakota high school;
 - d.
 - (1) A full-time active duty member of the armed forces;
 - (2) A member of the national guard;
 - (3) A member of the armed forces reserve component; or
 - (4) A veteran, as defined in section 37-01-40;
 - e. A benefited employee of the North Dakota university system;
 - f. The spouse of:
 - (1) A full-time active duty member of the armed forces;
 - (2) A member of the national guard;
 - (3) A member of the armed forces reserve component;
 - (4) A veteran, as defined in section 37-01-40, including a veteran eligible to transfer entitlement under the Post 9-11 Veterans Educational Assistance Act of 2008 [38 U.S.C. 3301];

- (5) A benefited employee of the North Dakota university system; or
- (6) Any other individual who is a resident for tuition purposes;
- g. A dependent of:
 - (1) A full-time active duty member of the armed forces;
 - (2) A member of the national guard;
 - (3) A member of the armed forces reserve component;
 - (4) A veteran, as defined in section 37-01-40, including a veteran eligible to transfer entitlement under the Post 9-11 Veterans Educational Assistance Act of 2008 [38 U.S.C. 3301]; or
 - (5) A benefited employee of the North Dakota university system;
- h. An individual who was a legal resident of this state for at least three consecutive years within six years of the beginning of the academic term;
- i. A child, spouse, widow, or widower of a veteran as defined in section 37-01-40 who was killed in action or died from wounds or other service-connected causes, was totally disabled as a result of service-connected causes, died from service-connected disabilities, was a prisoner of war, or was declared missing in action; ~~or~~
- j. A covered individual as defined by section 702 of Public Law No. 113-146 [128 Stat. 1797; 38 U.S.C. 3679]; or
- k. An individual certified by a director of the peace corps as having completed service as a peace corps volunteer.

Approved March 21, 2025

Filed March 24, 2025

CHAPTER 153

SENATE BILL NO. 2221

(Senators Roers, Larson, Rummel)
(Representatives Lefor, Nathe, Rohr)

AN ACT to create and enact a new subsection to section 15-10-38.1 of the North Dakota Century Code, relating to eligibility for the skilled workforce student loan repayment program; and to amend and reenact subsection 4 of section 15-10-38.2 of the North Dakota Century Code, relating to eligibility for the skilled workforce scholarship program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

⁵² **SECTION 1.** A new subsection to section 15-10-38.1 of the North Dakota Century Code is created and enacted as follows:

The requirement under subdivision c of subsection 4 is met if an individual is enrolled in or has completed a master of science degree in nursing while teaching four clinical credits per year and resides and works in this state in an occupation requiring the degree.

⁵³ **SECTION 2. AMENDMENT.** Subsection 4 of section 15-10-38.2 of the North Dakota Century Code is amended and reenacted as follows:

4. The state board of higher education and the workforce development council shall compile a list of qualifying educational programs annually. A qualifying educational program is:
 - a. Is a program resulting in attainment of an associate's degree or lower credential program that may be completed within four semesters, six quarters, or the final two years of a baccalaureate program. ~~A qualifying educational program also must~~
 - b. Must pertain to the professional and technical skills and emerging occupations in high demand in this state, as determined under subsection 3. ~~Qualifying educational programs may~~
 - c. May include degree or certificate programs.
 - d. Notwithstanding any other requirements under this subsection, is a program resulting in attainment of a master of science degree in nursing, if the individual teaches four clinical credits per calendar year.

Approved April 17, 2025

Filed April 17, 2025

⁵² Section 15-10-38.1 was also amended by section 1 of Senate Bill No. 2147, chapter 154.

⁵³ Section 15-10-38.2 was also amended by section 2 of Senate Bill No. 2147, chapter 154.

CHAPTER 154

SENATE BILL NO. 2147

(Senators Sickler, Schaible, Sorvaag)
(Representatives Richter, Sanford)

AN ACT to create and enact a new subsection to section 15-10-38.4, a new subsection to section 15-62.4-03, a new section to chapter 15-62.4, and a new subsection to section 15-62.5-04 of the North Dakota Century Code, relating to student financial assistance grants, dual-credit tuition scholarships, and the scholars program; to amend and reenact sections 15-10-38.1, 15-10-38.2, 15-63-05, and 15.1-21-02.6 of the North Dakota Century Code, relating to the skilled workforce student loan repayment and scholarship programs, Native American scholarships, and the North Dakota scholarship; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

⁵⁴ **SECTION 1. AMENDMENT.** Section 15-10-38.1 of the North Dakota Century Code is amended and reenacted as follows:

15-10-38.1. Skilled workforce student loan repayment program - Skilled workforce student loan repayment program fund - Continuing appropriation - Report.

1. There is created in the state treasury the skilled workforce student loan repayment program fund. The fund consists of moneys transferred into the fund by the legislative assembly, matching funds received, and loan repayments. Moneys in the fund are appropriated to the state board of higher education on a continuing basis for the purpose of distributing student loan repayment grants directly to the Bank of North Dakota or other participating lender to repay outstanding student loan principal balances for eligible applicants. The state board of higher education may transfer money between this fund and the skilled workforce scholarship fund established in section 15-10-38.2.
2. The state board of higher education shall adopt policies and procedures to develop, implement, promote, and administer a skilled workforce student loan repayment program in cooperation with the Bank of North Dakota and the North Dakota workforce development council with the intent of attracting and retaining individuals for professional or technical skills in high demand in this state.
3. The North Dakota workforce development council in cooperation with job service North Dakota shall use available labor market information to determine annually the eligible high-demand professional and technical skills and emerging occupations in this state.

⁵⁴ Section 15-10-38.1 was also amended by section 1 of Senate Bill No. 2221, chapter 153.

4. Graduates of degree or certificate programs from institutions or entities in any state may apply for the skilled workforce student loan repayment program. To be eligible to receive student loan repayment grants under the program, the applicant:
 - a. Must have successfully completed an educational program from an institution of higher education;
 - b. Must have a student loan with the Bank of North Dakota or other participating lender;
 - c. Following completion of an educational program, must reside and work in this state in an eligible high-demand or emerging occupation or reside within fifty miles [80.47 kilometers] of this state and work in this state in an eligible high-demand or emerging occupation; and
 - d. Must have met and shall continue to meet any requirements established in applicable state board of higher education procedures.
5. The state board of higher education shall adopt procedures to ensure compliance with residency and occupation requirements after completion of the educational program.
6. The state board of higher education shall distribute student loan repayment grants from the skilled workforce student loan repayment program fund directly to the Bank of North Dakota or other participating lender to repay outstanding student loan principal balances for eligible applicants. The maximum annual student loan repayment grant amount for which an applicant may qualify is five thousand six hundred sixty-seven dollars, or one-third of the applicant's outstanding student loan principal balance upon initial application for the program, whichever is less. The maximum total student loan repayment grant amount for which any applicant may qualify is seventeen thousand dollars.
7. If an individual is receiving loan forgiveness under any other state program, the individual may not receive a student loan repayment grant under this section during the same application year.
8. An individual may receive a combined total of no more than seventeen thousand dollars under this section and the skilled workforce scholarship program under section 15-10-38.2.
9. The state board of higher education shall provide one dollar of funding for each one dollar of funds raised from the private sector or other public sources. Any matching funds received must be deposited in the skilled workforce student loan repayment program fund.
10. An applicant for student loan repayment under this section is ineligible if the applicant:
 - a. Provides or directs matching funds; or
 - b. Is the husband, wife, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepchild, uncle, aunt, niece, nephew, or grandchild of:

(1) The individual providing or directing matching funds; or

(2) An individual authorized to make decisions on behalf of an entity providing or directing matching funds, including a controlling shareholder, member of the governing body, director, or managing partner.

11. The state board of higher education shall provide a biennial program report to the legislative management by September first of each even-numbered year. The report must include information regarding:

- a. The eligible high-demand professional and technical skills and emerging occupations;
- b. The number of applicants, eligible applicants, and applicants receiving awards;
- c. The amount of matching funds raised; and
- d. The average and total amounts awarded under the program.

⁵⁵ **SECTION 2. AMENDMENT.** Section 15-10-38.2 of the North Dakota Century Code is amended and reenacted as follows:

15-10-38.2. Skilled workforce scholarship program - Skilled workforce scholarship fund - Continuing appropriation - Report.

1. There is created in the state treasury the skilled workforce scholarship fund. The fund consists of moneys transferred into the fund by the legislative assembly, matching funds received, and scholarship repayments. Moneys in the fund are appropriated to the state board of higher education on a continuing basis for the purpose of providing grants to institutions of higher education related to skilled workforce scholarships. Institutions of higher education include institutions under the control of the state board of higher education, North Dakota nonpublic accredited institutions of higher education, tribally controlled community colleges, state-approved educator training programs, and North Dakota institutions approved to operate by the North Dakota board of career and technical education. The state board of higher education may transfer money between this fund and the skilled workforce student loan repayment program fund established in section 15-10-38.1.
2. The state board of higher education shall adopt policies and procedures to develop, implement, promote, and administer a skilled workforce scholarship program in cooperation with the Bank of North Dakota and the North Dakota workforce development council with the intent of attracting and retaining individuals for professional or technical skills in high demand in this state.
3. The North Dakota workforce development council in cooperation with job service North Dakota shall use available labor market information to determine annually the eligible high-demand professional and technical skills and emerging occupations in this state.
4. The state board of higher education and the workforce development council shall compile a list of qualifying educational programs annually. A qualifying

⁵⁵ Section 15-10-38.2 was also amended by section 2 of Senate Bill No. 2221, chapter 153.

educational program is a program resulting in attainment of an associate's degree or lower credential program that may be completed within four semesters, six quarters, or the final two years of a baccalaureate program. A qualifying educational program also must pertain to the professional and technical skills and emerging occupations in high demand in this state, as determined under subsection 3. Qualifying educational programs may include degree or certificate programs.

5. Individuals enrolled in a qualifying educational program in this state may apply for a scholarship under this section. Scholarships are limited to the amount charged each quarter, semester, or term by the educational institution for the tuition, fees, books, and supplies required for the qualifying educational program. The scholarships are intended to supplement any other scholarship or financial aid grant received by a student to assist the student with the costs of the qualifying educational program. An individual may not receive a combined total exceeding seventeen thousand dollars under this section and the skilled workforce loan repayment program under section 15-10-38.1.
6. To be eligible for a scholarship payment under this section, a student must be enrolled full time in an eligible program and have at least a 2.5 cumulative grade point average, based on a 4.0 grading system, or maintain academic progress in the program according to program requirements. A student may not receive scholarships under this section for more than the equivalent of four semesters of full-time enrollment or six quarters of full-time enrollment.
7. Upon completion of a qualifying educational program, a student who received a scholarship under this section must reside and work in this state in an eligible high-demand or emerging occupation for a minimum of three years or reside within fifty miles [80.47 kilometers] of this state and work in this state in an eligible high-demand or emerging occupation for a minimum of three years.
8. ~~An~~Except as provided in subsection 9, an individual shall repay the scholarship, excluding the matching funds portion of the scholarship, pursuant to the terms in the individual's scholarship award agreement if the individual fails to maintain either a 2.5 cumulative grade point average or academic progress according to program requirements while enrolled, withdraws voluntarily or involuntarily before the completion of the program for which a scholarship has been received, or fails to reside and work in this state in an eligible high-demand or emerging occupation for at least three years following degree or certificate completioncomply with subsection 7.
9. An individual who receives a scholarship under this section and who transfers from one eligible academic program to another eligible academic program must complete the program within two years and meet all other eligibility requirements to be exempt from the repayment provisions under subsection 8.
10. The state board of higher education, in conjunction with the Bank of North Dakota, may allow an individual who received payment under this section to delay or cancel repayment under this section due to financial difficulty, military service, death, or total disability.
- ~~40-11.~~ Each quarter, semester, or term, the state board of higher education shall distribute grants to institutions of higher education to provide the amounts necessary for the scholarships awarded to the students enrolled in each institution.

- ~~44-12.~~ The state board of higher education shall provide one dollar of funding for each one dollar raised from the private sector or other public sources. Any matching funds received must be deposited in the skilled workforce scholarship fund.
- ~~42-13.~~ An applicant for a scholarship payment under this section is ineligible if the applicant:
- a. Provides or directs matching funds; or
 - b. Is the husband, wife, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, stepchild, uncle, aunt, niece, nephew, or grandchild of:
 - (1) The individual providing or directing matching funds; or
 - (2) An individual authorized to make decisions on behalf of an entity providing or directing matching funds, including a controlling shareholder, member of the governing body, director, or managing partner.
14. The state board of higher education may not issue a scholarship under this section which is in excess of the total cost of attendance, as determined by the institution of higher education, when considering all financial aid sources.
15. The state board of higher education shall provide a biennial program report to the legislative management by September first of each even-numbered year. The report must include information regarding:
- a. The eligible high-demand professional and technical skills and emerging occupations;
 - b. The qualifying educational programs;
 - c. The number of applicants, eligible applicants, and applicants receiving awards;
 - d. The amount of matching funds raised; and
 - e. The average and total amounts awarded under the program.

SECTION 3. A new subsection to section 15-10-38.4 of the North Dakota Century Code is created and enacted as follows:

The board may not issue a scholarship under this section which is in excess of the total cost of attendance, as determined by the institution of higher education, when considering all financial aid sources.

SECTION 4. A new subsection to section 15-62.4-03 of the North Dakota Century Code is created and enacted as follows:

The board may not issue a grant under this chapter which is in excess of the total cost of attendance, as determined by the institution of higher education, when considering all financial aid sources.

SECTION 5. A new section to chapter 15-62.4 of the North Dakota Century Code is created and enacted as follows:

Supplemental state grant award.

1. An individual eligible for a student financial assistance grant under this chapter may be considered for a supplemental state grant award if the individual's total family income, as identified on the free application for federal student aid, is no more than eighty thousand dollars.
2. A supplemental state grant award may not be provided for the summer term.
3. Each semester or quarter, the state board of higher education shall provide to an eligible student a supplemental state grant award in an amount that, combined with the individual's student financial assistance grant and any federal Pell grant award, does not exceed the tuition charged at the institution in which the student is enrolled. The amount may not exceed the highest undergraduate semester tuition charged at an institution of higher education under the control of the state board of higher education.
4. If funding appropriated for this program is not sufficient to pay the full amount of the grant award under subsection 3, the state board of higher education may prorate the amount.
5. The state board of higher education may impose deadlines to qualify for an award under this section.

SECTION 6. A new subsection to section 15-62.5-04 of the North Dakota Century Code is created and enacted as follows:

The board may not issue a scholarship under this chapter which is in excess of the total cost of attendance, as determined by the institution of higher education, when considering all financial aid sources.

SECTION 7. AMENDMENT. Section 15-63-05 of the North Dakota Century Code is amended and reenacted as follows:

15-63-05. Scholarship payments - Conditions.

Upon the award of a scholarship, the recipient is eligible for a credit at the enrolling institution of higher learning or accredited career and technical education program with a physical presence in this state. The scholarship may be applied to tuition, fees, room and board, books and supplies, and other educational expenses not to exceed six hundred sixty-seven dollars per quarter or clock-hour term or one thousand dollars per semester. Awards may not exceed two thousand dollars in any academic year and may not be issued in excess of the total cost of attendance, as determined by the institution of higher education, when considering all financial aid sources. The board for Native American scholarships may reduce the amount of any scholarship to accord with individual financial need or funds available. The board for Native American scholarships may set a priority application date. At the beginning of each quarter, clock-hour term, or semester, the North Dakota university system shall verify enrollment and other eligibility criteria set forth by the state board for Native American scholarships for awarded applicants before issuing payment to the enrolling institution. After the enrolling institution has deducted the amount due to the institution, the remaining balance must be distributed to the awarded applicant for necessary expenses during the quarter, clock-hour term, or semester.

SECTION 8. AMENDMENT. Section 15.1-21-02.6 of the North Dakota Century Code is amended and reenacted as follows:

15.1-21-02.6. North Dakota scholarship - Amount - Applicability. (Effective through July 31, 2030)

1. a. The state board of higher education shall provide to any student certified as being eligible by the superintendent of public instruction a North Dakota scholarship, a North Dakota academic scholarship, or a North Dakota career and technical education scholarship in the amount of seven hundred fifty dollars for each semester during which the student is enrolled full time at an accredited institution of higher education with a physical presence in this state, maintains a cumulative grade point average of 2.75, and maintains progress toward program completion.
- b. The state board of higher education shall provide to any student certified as being eligible by the superintendent of public instruction a North Dakota scholarship, a North Dakota academic scholarship, or a North Dakota career and technical education scholarship in the amount of five hundred dollars for each quarter or clock-hour term during which the student is enrolled full time at an accredited institution of higher education with a physical presence in this state or an accredited private career school with a physical presence in this state, maintains a cumulative grade point average of 2.75, and maintains progress toward program completion.
- c. The state board of higher education shall provide to any student certified as being eligible by the superintendent of public instruction a North Dakota scholarship, a North Dakota academic scholarship, or a North Dakota career and technical education scholarship in the amount of five hundred dollars each term if the student is enrolled in a qualifying registered apprenticeship program within this state. The state board of higher education and the state board for career and technical education shall establish:
 - (1) Procedures to administer the scholarship;
 - (2) Requirements for eligibility, including full-time enrollment, program progress, and a minimum grade point average or its equivalency; and
 - (3) A payment schedule.
2. The state board shall monitor each scholarship recipient to ensure that the student meets the academic and other requirements of this section. Upon determining a recipient student has failed to meet the requirements of this section, the board shall provide notification to the student within ten business days.
3. A student is not entitled to receive more than six thousand dollars under this section.
4. The state board of higher education shall forward the scholarship directly to the institution in which the student is enrolled.
5. The state board of higher education may not issue a scholarship under this section which is in excess of the total cost of attendance, as determined by the institution of higher education, when considering all financial aid sources.

- 6. a. This section does not require a student to be enrolled in consecutive semesters, quarters, or clock-hour terms.

b. A scholarship under this section is valid only for six academic years after the student's graduation from high school and may be applied to a graduate or professional program.
- 6-7. A scholarship under this section is available to any eligible resident student who fulfills the requirements of section 15.1-21-02.4, section 15.1-21-02.5, or section 15.1-21-02.10 and who:

 - a. Graduates from a high school in this state;
 - b. Graduates from a high school in a bordering state under chapter 15.1-29;
 - c. Graduates from a nonpublic high school in a bordering state while residing with a custodial parent in this state; or
 - d. Completes a program of home education supervised in accordance with chapter 15.1-23.
- 7-8. a. For purposes of North Dakota scholarship eligibility under this section, "full-time" has the same meaning as the term is defined by the institution the student is attending.

b. A student who is enrolled less than full-time may retain scholarship eligibility if the student is in the final semester, quarter, or clock-hour term before program completion. The waiver of the full-time enrollment status requirement for scholarship eligibility may not apply to a student more than once.

c. For the purpose of North Dakota scholarship eligibility under this section, "progress toward program completion" means earning the following minimum number of credits after each semester, quarter, or clock-hour term disbursement to qualify for the subsequent disbursement:

 - (1) Twenty-four credits after disbursement two;
 - (2) Thirty-nine credits after disbursement three;
 - (3) Fifty-four credits after disbursement four;
 - (4) Sixty-nine credits after disbursement five;
 - (5) Eighty-four credits after disbursement six; and
 - (6) Ninety-nine credits after disbursement seven.
- 8-9. For purposes of scholarship eligibility under this section, "clock-hour term" has the same meaning as the term is defined by the state board of higher education. The state board of higher education shall determine the conversion of:

 - a. Clock hours to credit hours; and
 - b. Percentage-based grading to grade point average.

North Dakota scholarship - Amount - Applicability. (Effective after July 31, 2030)

1. a. The state board of higher education shall provide to any student certified as being eligible by the superintendent of public instruction a North Dakota scholarship in the amount of seven hundred fifty dollars for each semester during which the student is enrolled full time at an accredited institution of higher education with a physical presence in this state, maintains a cumulative grade point average of 2.75, and maintains progress toward program completion.
- b. The state board of higher education shall provide to any student certified as being eligible by the superintendent of public instruction a North Dakota scholarship in the amount of five hundred dollars for each quarter or clock-hour term during which the student is enrolled full time at an accredited institution of higher education with a physical presence in this state or an accredited private career school with a physical presence in this state, maintains a cumulative grade point average of 2.75, and maintains progress toward program completion.
- c. The state board of higher education shall provide to any student certified as being eligible by the superintendent of public instruction a North Dakota scholarship, a North Dakota academic scholarship, or a North Dakota career and technical education scholarship in the amount of five hundred dollars each term if the student is enrolled in a qualifying registered apprenticeship program within this state. The state board of higher education and the state board for career and technical education shall establish:
 - (1) Procedures to administer the scholarship;
 - (2) Requirements for eligibility, including full-time enrollment, program progress, and a minimum grade point average or its equivalency; and
 - (3) A payment schedule.
2. The state board shall monitor each scholarship recipient to ensure the student meets the academic and other requirements of this section. Upon determining a recipient student has failed to meet the requirements of this section, the board shall provide notification to the student within ten business days.
3. A student is not entitled to receive more than six thousand dollars under this section.
4. The state board of higher education shall forward the scholarship directly to the institution in which the student is enrolled.
5. The state board of higher education may not issue a scholarship under this section which is in excess of the total cost of attendance, as determined by the institution of higher education, when considering all financial aid sources.
6. a. This section does not require a student to be enrolled in consecutive semesters, quarters, or clock-hour terms.
- b. A scholarship under this section is valid only for six academic years after the student's graduation from high school and may be applied to a graduate or professional program.

~~6-7.~~ A scholarship under this section is available to any eligible resident student who fulfills the requirements of section 15.1-21-02.10 and who:

- a. Graduates from a high school in this state;
- b. Graduates from a high school in a bordering state under chapter 15.1-29;
- c. Graduates from a nonpublic high school in a bordering state while residing with a custodial parent in this state; or
- d. Completes a program of home education supervised in accordance with chapter 15.1-23.

~~7-8.~~ a. For purposes of North Dakota scholarship eligibility under this section, "full-time" has the same meaning as the term is defined by the institution the student is attending.

- b. A student who is enrolled less than full-time may retain scholarship eligibility if the student is in the final semester, quarter, or clock-hour term before program completion. The waiver of the full-time enrollment status requirement for scholarship eligibility may not apply to a student more than once.

- c. For the purpose of North Dakota scholarship eligibility under this section, "progress toward program completion" means earning the following minimum number of credits after each semester, quarter, or clock-hour term disbursement to qualify for the subsequent disbursement:

- (1) Twenty-four credits after disbursement two;
- (2) Thirty-nine credits after disbursement three;
- (3) Fifty-four credits after disbursement four;
- (4) Sixty-nine credits after disbursement five;
- (5) Eighty-four credits after disbursement six; and
- (6) Ninety-nine credits after disbursement seven.

~~8-9.~~ For purposes of scholarship eligibility under this section, "clock-hour term" has the same meaning as the term is defined by the state board of higher education. The state board of higher education shall determine the conversion of:

- a. Clock hours to credit hours; and
- b. Percentage-based grading to grade point average.

SECTION 9. APPROPRIATION - NORTH DAKOTA UNIVERSITY SYSTEM OFFICE - SUPPLEMENTAL STUDENT FINANCIAL ASSISTANCE GRANTS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so much of the sum as may be necessary, to the North Dakota university system office for the purpose of providing supplemental student financial assistance grants, for the biennium beginning July 1, 2025, and ending June 30, 2027.

Approved May 2, 2025

Filed May 2, 2025

CHAPTER 155

SENATE BILL NO. 2348

(Senators Weston, Cleary, Paulson)
(Representatives K. Anderson, S. Olson, Fisher)

AN ACT to create and enact a new section to chapter 15-10 and a new chapter to title 50 of the North Dakota Century Code, relating to the acceptance of health care sharing ministries by an institution of higher education and health care sharing ministries' exemptions from insurance laws and regulations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15-10 of the North Dakota Century Code is created and enacted as follows:

Institutions of higher education - Acceptance of health care sharing ministries as health care coverage.

1. A student's active participation in a health care sharing ministry, as defined under section 2 of this Act, satisfies any requirement that a student enrolled in an institution of higher education maintain health care coverage, except as provided in subsection 2.
2. Notwithstanding subsection 1, this section does not apply to an international student who is required to maintain health insurance coverage in compliance with federal visa regulations, including students holding J, F, or M visas. Institutions of higher education shall require these students to obtain a health insurance policy that meets the minimum standards provided by the United States department of state and a state board of higher education policy governing health insurance requirements for international students.

SECTION 2. A new chapter to title 50 of the North Dakota Century Code is created and enacted as follows:

Definitions.

As used in this chapter, "health care sharing ministry" means a nonprofit organization that:

1. Is recognized as tax exempt under section 501(c)(3) of the United States Internal Revenue Code [26 U.S.C. 501(c)(3)];
2. Limits its participants to members who share a common set of ethical or religious beliefs;
3. Acts as a facilitator among participants who have financial or medical needs to assist participants with financial or medical needs according to criteria established by the health care sharing ministry;
4. With no assumption of risk or promise to pay, provides for the financial or medical needs of a participant through contributions from other participants, which were contributed by participants with no assumption of risk or promise to pay;

5. Provides to participants each month the total dollar amount of qualified needs shared during the previous month according to criteria established by the health care sharing ministry;
6. Annually conducts an audit performed by an independent certified public accounting firm according to generally accepted accounting principles and publishes the audit on the health care sharing ministry's website or provides a copy upon request; and
7. Provides a written disclaimer on or accompanying all applications and guideline materials distributed by or on behalf of the organization which explains:
 - a. The organization facilitating the sharing of medical expenses is not an insurance company and its guidelines and plan of operation are not an insurance policy;
 - b. Whether anyone chooses to assist the participant with medical bills is voluntary;
 - c. Participation in the organization or a subscription to its documents is not insurance; and
 - d. Regardless of whether the participant receives payments or the organization continues to operate, the participant is responsible for the payment of the participant's medical bills.

Health care sharing ministry.

A health care sharing ministry may not be considered to be engaging in the business of insurance and is exempt from regulations applicable to insurance entities.

Approved April 3, 2025

Filed April 3, 2025

CHAPTER 156

SENATE BILL NO. 2159

(Senators Hogue, Kessel, Patten)
(Representatives D. Anderson, Hagert, Porter)

AN ACT to amend and reenact section 15-11-40 of the North Dakota Century Code, relating to projects the state energy research center is permitted to pursue.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-11-40 of the North Dakota Century Code is amended and reenacted as follows:

15-11-40. State energy research center - Report.

1. The state energy research center at the university of North Dakota energy and environmental research center is created to conduct exploratory, transformational, and innovative research that advances future energy opportunities and benefits the state's economy and environment through:
 - a. Exploratory research of technologies and methodologies that facilitate the prudent development, and clean and efficient use, of the state's energy resources;
 - b. Greater access to energy experts for timely scientific and engineering studies to support the state's interests; and
 - c. Education and outreach related to the state's energy resources.
2. The state energy research center shall report all research activities and accomplishments annually to the interim legislative energy development and transmission committee and the industrial commission. Upon request, the state energy research center shall report all research activities and accomplishments to the appropriations committees of the legislative assembly.
3. To carry out the purposes of this section, the energy and environmental research center may:
 - a. Select the research topics and projects to be pursued;
 - b. Enter contracts or agreements with other North Dakota institutions of higher education to support select research topics and projects;
 - c. Enter contracts or agreements with federal, private, and nonprofit organizations to carry out selected research topics and projects; and
 - d. Accept donations, grants, contributions, and gifts from any source to carry out the selected research topics and projects.
4. The ~~half~~ approved by the industrial commission and conducted in consultation with the high-level radioactive waste advisory council, the state energy

research center may ~~not~~ conduct research or pursue projects that will result in the exploration, storage, treatment, or disposal of high-level radioactive waste above ground in North Dakota.

Approved April 21, 2025

Filed April 22, 2025

CHAPTER 157

HOUSE BILL NO. 1612

(Representatives Bahl, K. Anderson, O'Brien, Schreiber-Beck, Stemen)
(Senators Axtman, Cory, Meyer)

AN ACT to create and enact a new section to chapter 15-11 of the North Dakota Century Code, relating to the establishment of the North Dakota center for aerospace medicine for mental health support and certification assistance; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15-11 of the North Dakota Century Code is created and enacted as follows:

North Dakota center for aerospace medicine.

1. The university of North Dakota with the school of medicine and health sciences shall establish the North Dakota center for aerospace medicine under the John D. Odegard school of aerospace sciences.
2. The North Dakota center for aerospace medicine shall:
 - a. Provide mental health resources and assistance to obtain medical certification from the federal aviation administration to flight students, pilots, and aviation professionals in the fields of commercial aviation, unmanned aircraft systems, and air traffic control;
 - b. Cooperate with the federal aviation administration office of aerospace medicine;
 - c. Support access, including rural access, to mental health resources, aviation medical examiners, and human intervention motivational study aviation medical examiners;
 - d. Provide support to assist aviation medical examiners, human intervention motivational study aviation medical examiners, and applicants with federal aviation administration requirements;
 - e. Facilitate collaboration between research initiatives across the state related to aviation and space medicine; and
 - f. Provide mental health education and outreach.

SECTION 2. APPROPRIATION - UNIVERSITY OF NORTH DAKOTA - NORTH DAKOTA CENTER FOR AEROSPACE MEDICINE - ONE-TIME FUNDING. There is appropriated out of any moneys in the community health trust fund in the state treasury, not otherwise appropriated, the sum of \$250,000, or so much of the sum as may be necessary, and from other funds derived from federal funds or other sources, the sum of \$250,000, or so much of the sum as may be necessary, to the university of North Dakota for the purpose of planning, developing, establishing, and operating the

North Dakota center for aerospace medicine, including personnel recruitment and salaries, facility and assessment material costs, professional development and training, education and outreach, and initial research funding, for the biennium beginning July 1, 2025, and ending June 30, 2027. The appropriation provided in this section is considered a one-time funding item.

Approved April 28, 2025

Filed April 28, 2025

CHAPTER 158

HOUSE BILL NO. 1600

(Representatives O'Brien, Sanford, Schreiber-Beck)
(Senators Axtman, Sickler)

AN ACT to create and enact a new section to chapter 15-11 of the North Dakota Century Code, relating to the establishment of the immigration law clinic at the university of North Dakota school of law; to provide for a report; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15-11 of the North Dakota Century Code is created and enacted as follows:

Immigration law clinic.

1. The university of North Dakota school of law shall employ one full-time staff attorney for the immigration law clinic. The immigration law clinic attorney may not have more than sixty matters open at any one time.
2. Legal services may be provided and legal work may be done remotely, depending on the needs of the client.
3. The university of North Dakota school of law may charge nominal fees, as needed, to operate the immigration law clinic.

SECTION 2. UNIVERSITY OF NORTH DAKOTA SCHOOL OF LAW - IMMIGRATION LAW CLINIC - REPORT TO LEGISLATIVE ASSEMBLY. The university of North Dakota school of law shall prepare a report on the status of the immigration law clinic, including the impact of the operation of the immigration law clinic on the university of North Dakota school of law, the sustainability of the clinic based on fee collections, the number of law students interested in participating in the clinic, the number of law students participating in the clinic, and the number of student hours of involvement. The report must also include the number of businesses, employers, and individuals seeking legal services, the location of the individuals or entities seeking services, and the scope of work requested. The report must also identify any obstacles encountered in developing the clinic, potential future challenges for the clinic, a detailed plan to meet these challenges, and any legislation necessary to support the recommendations for the clinic's successful operation. The university of North Dakota school of law shall present the report to the seventieth legislative assembly.

SECTION 3. APPROPRIATION - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - OFFICE OF MANAGEMENT AND BUDGET - IMMIGRATION LAW CLINIC - ONE-TIME FUNDING. There is appropriated out of any moneys in the strategic investment and improvements fund in the state treasury, not otherwise appropriated, the sum of \$400,000, or so much of the sum as may be necessary, to the office of management and budget for the purpose of providing a grant to the university of North Dakota to fund an immigration law clinic at the

university of North Dakota school of law, for the biennium beginning July 1, 2025, and ending June 30, 2027. The appropriation provided in this section is considered a one-time funding item.

Approved April 28, 2025

Filed April 28, 2025

CHAPTER 159

HOUSE BILL NO. 1064

(Education Committee)

(At the request of the State Board of Higher Education)

AN ACT to create and enact a new section to chapter 15-18.1 of the North Dakota Century Code, relating to the national council for state authorization reciprocity agreements membership; to amend and reenact sections 15-18.1-01, 15-18.1-02, 15-18.1-05, 15-18.1-06, and 15-18.1-10, and subsection 4 of section 15-18.1-13 of the North Dakota Century Code, relating to postsecondary education institution standards; and to repeal section 15-18.1-03 of the North Dakota Century Code, relating to the authorization of a postsecondary educational institution not operating in this state.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-18.1-01 of the North Dakota Century Code is amended and reenacted as follows:

15-18.1-01. Definitions.

As used in this chapter:

1. "Accredited" means approved by an accrediting body recognized by the United States department of education.
2. "Authorization to operate" or like term means approval of the board or North Dakota university system office, as applicable, to operate or to contract to operate a postsecondary educational institution in this state.
- 2-3. "Board" means the state board of higher education.
4. "Distance education" is education using one or more types of technology to deliver instruction to a student who is separated from the instructor and to support regular and substantive interaction between the student and the instructor synchronously or asynchronously.
- 3-5. "Education" or "educational services" or like term includes any class, course, or program of training, instruction, or study.
- 4-6. "Educational credentials" means degrees, diplomas, certificates, transcripts, reports, documents, or letters of designation, marks, appellations, series of letters, numbers, or words which signify, purport, or are generally taken to signify enrollment, attendance, progress, or satisfactory completion of the requirements or prerequisites for education at a postsecondary educational institution operating in this state; a postsecondary credential leading to a diploma; certificate; or an associate, bachelor, master, or doctorate degree. This term does not include a postsecondary credential leading to an honorary degree or other unearned degree.

7. "Person" means an individual, organization, government, political subdivision, or government agency or instrumentality. The term does not include environmental elements, artificial intelligence, an animal, or an inanimate object.
- 5-8. "Physical presence" means a presence established by:
- a. Maintaining a physical location in the state where students receive instruction or providing instruction to students at a designated location and time in the state;
 - b. Maintaining an administrative office in the state for students receiving in-person instruction or distance education;
 - c. Maintaining a mailing address in the state and a local telephone number;
 - d. Providing office space in the state for instructional or noninstructional staff; and
 - e. Providing student support services at a physical location in the state, whether operated by or on behalf of the institution.
9. "Postsecondary educational institution" means an academic, technical, home study, business, professional or other school, college, or university, or other person, operating in this state, offering educational credentials or offering instruction or educational services, primarily to any individual who has completed or terminated secondary education or who is beyond the age of compulsory high school attendance, for attainment of educational, or professional objectives at the associate in arts level or higher agency or political subdivision of the state, individual, partnership, company, firm, society, trust, association, corporation, or any combination that:
- a. Is, owns, or operates a postsecondary educational institution.
 - b. Provides a postsecondary course of instruction leading to a degree.
 - c. Uses in its name the term "college", "academy", "institute", or "university" or a similar term to imply the person is primarily engaged in the education of students at the postsecondary level, and charges for its services.
- 6-10. "To grant" includes awarding, selling, conferring, bestowing, or giving.
- 7-11. "To offer" includes, in addition to its usual meanings, advertising, publicizing, soliciting, or encouraging any individual, directly or indirectly, in any form, to perform the act described.
8. "To operate" an educational institution, or like term, means to establish, keep, or maintain any facility or location in this state where, from, or through which, education is offered or given, or educational credentials are offered or granted, and includes contracting with any person to perform any such act.

SECTION 2. AMENDMENT. Section 15-18.1-02 of the North Dakota Century Code is amended and reenacted as follows:

15-18.1-02. Exemptions.

The following education and educational schools or institutions are exempted from the provisions of this chapter:

1. ~~Education sponsored by a bona fide~~ Educational programs conducted by a trade, business, professional, or fraternal organization, ~~so recognized by the board,~~ solely for that organization's membership, or offered on a no-fee basis.
2. Education offered by charitable institutions, organizations, or agencies, so recognized by the board, provided the education is not advertised or promoted as leading toward educational credentials.
3. Postsecondary educational institutions established, operated, and governed by this ~~or any other state or its political subdivisions, as determined by the board and any educational consortium that includes one or more of the institutions.~~
4. Private four-year institutions chartered or incorporated and operating in the state prior to July 1, 1977, so long as the institutions retain accreditation ~~by national or regional accrediting agencies and~~ are recognized by the United States ~~office~~ department of education.
5. Schools of nursing regulated under chapter 43-12.1.
6. Native American colleges operating in this state, established by federally recognized Indian tribes.
7. ~~Postsecondary educational institutions not operating in this state.~~
- 8-7. Institutions whose only physical presence in this state consists of students enrolled in practicums, internships, clinicals, or student teaching in this state.
- 9-8. Postsecondary career schools regulated under chapter 15-20.4.

SECTION 3. AMENDMENT. Section 15-18.1-05 of the North Dakota Century Code is amended and reenacted as follows:

15-18.1-05. Minimum standards to operate with a physical presence in North Dakota.

All postsecondary educational institutions with a physical presence in the state must be accredited ~~by national or regional accrediting agencies recognized by the United States department of education,~~ have a federal financial responsibility composite score greater than one and one-half, and provide students with institutional public disclosures as defined by the board. The board ~~additionally~~ may ~~require such further evidence and make such further investigation as in its judgment may be necessary.~~ Any postsecondary educational institution operating in this state ~~seeking its first authorization to operate may be issued a provisional authorization to operate on an annual basis until the institution becomes eligible for accreditation by a recognized accrediting agency.~~ Institutions ~~issued a provisional authorization to operate must demonstrate a substantial good faith showing of progress toward such status.~~ Only upon accreditation ~~may~~ an institution may become eligible for a regular state authorization to operate. An institution shall give written notification to the board within thirty days of any change to the institution's accreditation status, change of ownership, or change in federal financial responsibility composite score.

SECTION 4. AMENDMENT. Section 15-18.1-06 of the North Dakota Century Code is amended and reenacted as follows:

15-18.1-06. Prohibition - Penalty.

1. A person may not:

- a. Operate, in this state, a postsecondary educational institution not exempted from the provisions of this chapter, unless the institution has a currently valid authorization to operate issued under this chapter.
- b. Instruct or educate, or offer to instruct or educate, including advertising or soliciting for such purpose, enroll or offer to enroll, contract or offer to contract with any person for such purpose, or award any educational credential, or contract with any institution or party to perform any such act, at a facility or location in this state unless ~~such the person, group, or entity~~ observes and ~~is in compliance~~ complies with the minimum standards and criteria established by the board and the policies adopted by the board.
- c. Use the term "university", "institute", or "college" without authorization to do so from the board.
- d. Grant, or offer to grant, educational credentials, without authorization to do so from the board.

2. A person who violates this section, or who fails or refuses to deposit with the board the records required by the board under this chapter, is subject to a civil penalty not to exceed ~~one hundred one thousand five hundred~~ dollars for each violation. Each day's failure to comply with these provisions is a separate violation. The fine may be imposed by the board ~~in an administrative proceeding or by any court of competent jurisdiction~~ consistent with board policy and procedure.

3. A person who willfully violates this section, or who willfully fails or refuses to deposit with the board the records required by the board under this chapter, is guilty of a class B misdemeanor. The criminal sanctions may be imposed by a court of competent jurisdiction in an action brought by the attorney general of this state or a state's attorney pursuant to section 15-18.1-12.

4. The board may suspend or revoke a person's authorization to offer distance education to North Dakota residents until the person complies with the national council for state authorization reciprocity agreements membership requirements, unless the person is exempt under section 7 of this Act.

5. The North Dakota university system office will notify in writing a person found to be out of compliance and the person will have thirty days to remedy the deficiency. If the deficiency is not remedied within the thirty-day period, penalties may be assessed under subsection 2.

SECTION 5. AMENDMENT. Section 15-18.1-10 of the North Dakota Century Code is amended and reenacted as follows:

15-18.1-10. Board review.

A person aggrieved by a decision of the ~~board~~ North Dakota university system respecting denial or revocation of an authorization to operate, or the placing of

conditions thereon, whether on initial application or on application for renewal may appeal to the board in the manner provided by the board. Appeals must be filed with the North Dakota university system within thirty days of receiving the notice of noncompliance. The board shall review the appeal and issue a final decision.

SECTION 6. AMENDMENT. Subsection 4 of section 15-18.1-13 of the North Dakota Century Code is amended and reenacted as follows:

4. As used in this section, "duly authorized institution of higher learning" means an institution that:
 - a. Has accreditation recognized by the United States ~~secretary~~department of education or has the foreign equivalent of such accreditation;
 - b. Has an authorization to operate under this chapter or under chapter 15-20.4;
 - c. Operates in this state, and is exempt from this chapter under section 15-18.1-02 or is exempt from chapter 15-20.4 under section 15-20.4-02;
 - d. Does not operate in this state and is:
 - (1) Licensed by the appropriate state agency; and
 - (2) An active applicant for accreditation by an accrediting body recognized by the United States ~~secretary~~department of education; or
 - e. Has been found by the state board of higher education or the state board for career and technical education to meet standards of academic quality comparable to those of an institution located in the United States that has accreditation recognized by the United States ~~secretary~~department of education to offer degrees of the type and level claimed.

SECTION 7. A new section to chapter 15-18.1 of the North Dakota Century Code is created and enacted as follows:

Required national council for state authorization reciprocity agreements membership - Exemption.

1. A postsecondary educational institution offering distance education programs to students in North Dakota must be a member of the national council for state authorization reciprocity agreements and comply with the requirements of the council. Institutions must adhere to all standards, policies, and fees established by the national council for state authorization reciprocity agreements for membership and participation, including reporting requirements, quality standards, and consumer protection measures.
2. A postsecondary educational institution that is ineligible to participate in national council for state authorization reciprocity agreements due to composite score requirements is exempt from the requirements under subsection 1 if the postsecondary educational institution:
 - a. Is an eligible participant in student financial aid programs under title IV of the Higher Education Act of 1965 [Pub. L. 89-329; 79 Stat. 1219; 20 U.S.C. 1001 et seq.]; and

- b. At the institution level, has a financial responsibility score calculated by an independent auditor using the methodology prescribed by the United States department of education greater than one and one-half.
3. The state board of higher education shall adopt a policy to implement this section, which may include a fee.

SECTION 8. REPEAL. Section 15-18.1-03 of the North Dakota Century Code is repealed.

Approved April 10, 2025

Filed April 11, 2025

CHAPTER 160

HOUSE BILL NO. 1498

(Representatives Maki, Monson, Richter)
(Senator Schaible)

AN ACT to amend and reenact sections 15-20.2-07 and 15.1-09-33.1 of the North Dakota Century Code, relating to the powers and duties of center boards and the authority of a school board to pay a first-year signing bonus for teachers; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-20.2-07 of the North Dakota Century Code is amended and reenacted as follows:

15-20.2-07. Powers and duties of center boards.

The powers and duties of a center board are as follows:

1. To supervise, manage, and control an area career and technology center established by the cooperating school districts pursuant to this chapter.
2. To provide career and technical education programs approved by the state board.
3. To contract with, employ, or pay personnel to administer the affairs and to teach in the area career and technology center, and to remove for cause any personnel when the interests of the area career and technology center may require it; provided, that personnel employed by a center board shall have the same statutory rights as provided by law for personnel employed by public school districts.
4. To lease, acquire, or purchase career and technical education equipment for an area career and technology center.
5. To lease, acquire, purchase, or sell career and technical education facilities, including real property, for an area career and technology center; provided, that any purchase or sale of real property must first be approved by two-thirds of the school boards of the participating school districts.
6. To receive and administer any private, local, state, or federal funds provided for the operation and maintenance of an area career and technology center.
7. To enter into contracts consistent with the other powers and duties provided for by this chapter.
8. To accept real or personal property available for distribution by the United States or any of its departments or agencies and also to accept federal grants that may be made available in the field of career and technical education.

9. To offer a first-year signing bonus to an individual who is licensed or approved by the education standards and practices board, has signed a contract of employment with the center board, and was not a classroom teacher in the state during the previous school year. A bonus paid under this subsection:
- Is in addition to an amount payable under a negotiated teachers' contract.
 - May not be included in the center board's negotiated salary schedule.
 - May not be included as salary for continuing contract purposes.

SECTION 2. AMENDMENT. Section 15.1-09-33.1 of the North Dakota Century Code is amended and reenacted as follows:

15.1-09-33.1. School board authority - Payment of signing bonuses.

- The board of a school district may offer a signing bonus to an individual who:
 - Is licensed by the education standards and practices board or approved by the education standards and practices board;
 - Has signed a contract of employment in the school district; and
 - Has never been employed in the newly assigned role by the board of the school district.
- The board of a school district may pay to the individual the signing bonus authorized by subsection 1 in:
 - One lump sum upon the individual signing a contract of employment; or
 - Installments over a period of time not to exceed five years from the date the individual signed a contract of employment.
- A signing bonus paid under this section:
 - Is in addition to any amount payable under a negotiated teachers' contract.
 - May not be included in the district's negotiated salary schedule.
 - May not be included as salary for continuing contract purposes.
 - May not be paid until the individual is licensed and qualified for the newly assigned role by the education standards and practices board.
 - May not be used for an individual employed the prior year in the same role by another school district in the state until the individual has been employed in the district for two years.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure.

Approved April 23, 2025

Filed April 23, 2025

CHAPTER 161

HOUSE BILL NO. 1188

(Representative Lefor)

AN ACT to amend and reenact section 15-20.2-08 of the North Dakota Century Code, relating to the assessment of fees for area career and technology center expenses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-20.2-08 of the North Dakota Century Code is amended and reenacted as follows:

15-20.2-08. Assessment of participating districts for proportionate share of center expenses - Allocation of students - Civil penalty for failure to remit payment.

1. A center board ~~shall~~, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred, shall assess each ~~participating~~
 - a. Participating school district ~~its proportionate share~~ a center membership fee based upon its high school enrollment as compared to the total high school enrollment of all participating school districts in the area career and technology center and ~~shall assess each nonparticipating~~ may assess fees based on access and use of programs.
 - b. Nonparticipating school district receiving services ~~its proportionate share~~ a fee based upon its ~~utilization~~ use of programs.
2. A center board ~~shall, as nearly as possible, allocate, as nearly as possible,~~ the number of students from each participating district to be served in an area career and technology center on the same proportionate basis as is used for the assessment of expenses.

~~A center board utilizing mobile units solely shall, for the purpose of paying any administrative, planning, operating, or capital expenses incurred or to be incurred, assess each participating school district its proportionate share based upon its utilization of programs as compared to total program utilization of all participating school districts in such center. A center board utilizing mobile units solely shall, as nearly as possible, determine the program utilization of each participating school district to be served based upon its high school enrollment as compared to the total high school enrollment of all participating school districts in such center and the school's accessibility to those programs.~~

3. Each participating school district shall remit payment of the assessment of its share of expenses to the center board promptly after receipt of the assessment notice, or within a period of time determined by the center board, but no later than sixty days after the official date of receipt as noted on the assessment notice. A civil penalty of one percent per month must accrue on all assessments not paid when due.

Approved March 17, 2025

Filed March 18, 2025

CHAPTER 162

SENATE BILL NO. 2134

(Senators Roers, Davison, Dever)
(Representatives Dockter, Schauer, Stemen)

AN ACT to amend and reenact subsection 1 of section 15-39.1-05.1 of the North Dakota Century Code, relating to the composition of the teachers' fund for retirement board.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 15-39.1-05.1 of the North Dakota Century Code is amended and reenacted as follows:

1. The authority to set policy for the fund rests in a board of trustees composed as follows:
 - a. The governor shall appoint, from a list of three nominees submitted to the governor by North Dakota united, two board members who are actively employed as elementary or secondary teachers in full-time positions not classified as school administrators. A board member appointed under this subdivision who terminates employment may not continue to serve as a member of the board.
 - b. The governor shall appoint, from a list of three nominees submitted to the governor by the North Dakota council of educational leaders, one board member who is actively employed as a full-time school administrator. A board member appointed under this subdivision who terminates employment may not continue to serve as a member of the board.
 - c. The governor shall appoint, from a list of three nominees submitted to the governor by the North Dakota retired teachers association, two board members who are the retired members of the fund.
 - d. The state treasurer, or a designee from the office of state treasurer, and the superintendent of public instruction, or a designee from the department of public instruction.

Approved March 27, 2025

Filed March 31, 2025

CHAPTER 163

HOUSE BILL NO. 1117

(Government and Veterans Affairs Committee)
(Teachers' Fund for Retirement Board of Trustees)

AN ACT to amend and reenact subsection 4 of section 15-39.1-10 of the North Dakota Century Code, relating to eligibility for normal retirement benefits.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 4 of section 15-39.1-10 of the North Dakota Century Code is amended and reenacted as follows:

4. ~~For a member who attains age seventy and one half before January 1, 2020, the member's required beginning date is no later than April first of the calendar year following the year the member attains age seventy and one half or April first of the calendar year following the year the member terminates covered employment, whichever is later. For a member who attains age seventy and one half after December 31, 2019, the member's required beginning date is no later than April first of the calendar year following the year the member attains age seventy two or April first of the calendar year following the year the member terminates covered employment, whichever is later.~~ Payments must be made over a period of time which does not exceed the life expectancy of the member or the joint life expectancy of the member and the beneficiary. Payment of minimum distributions must be made in accordance with section 401(a)(9) of the Internal Revenue Code [26 U.S.C. 401(a)(9)], as amended, and the regulations issued under that section, as applicable to governmental plans.

Approved March 21, 2025

Filed March 24, 2025