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Fifty-ninth  
Legislative Assembly  
of North Dakota

Introduced by

1 A BILL for an Act to amend and reenact section 54-16-04.1 of the North Dakota Century Code,  
2 relating to the authorization of acceptance and disbursement of federal funds.

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

4 **SECTION 1. AMENDMENT.** Section 54-16-04.1 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **54-16-04.1. May authorize acceptance and disbursement of federal funds.** The  
7 emergency commission, upon the advice and counsel of the office of management and budget,  
8 may authorize the state treasurer to receive any moneys not appropriated by the legislative  
9 assembly which are made available by any federal agency and which the legislative assembly  
10 has not indicated an intent to reject. The emergency commission may authorize passthrough  
11 federal funds from one state agency to another state agency. The emergency commission, with  
12 approval of the budget section of the legislative council if the amount under consideration  
13 exceeds fifty thousand dollars, may authorize any state officer to receive and expend federal  
14 moneys from the date such moneys become available until June thirtieth following the next  
15 regular legislative session. Unrestricted federal funds made available to North Dakota which do  
16 not have an expiration date prior to the next legislative session, upon the approval for  
17 acceptance by the emergency commission and the budget section of the legislative council, are  
18 to be deposited into a special fund until the Legislative Assembly authorizes the funds to be  
19 spent pursuant to a legislative appropriation. Approval by the budget section of the legislative  
20 council is not required for the acceptance of federal funds if the acceptance is necessary to  
21 avoid an imminent threat to the safety of people or property due to a natural disaster or war  
22 crisis or an imminent financial loss to the state. Budget section approval is required before the  
23 expenditure of any funds accepted under these conditions. The expenditures must be  
24 consistent with state law and with the terms of the grant and the program may not commit the

Fifty-ninth  
Legislative Assembly

1 legislative assembly for matching funds in the future unless the program has first been  
2 approved by the legislative assembly. A state officer may not expend funds received from the  
3 federal government which have not been specifically appropriated by the legislative assembly  
4 except as provided in this chapter. A state officer shall submit an expenditure plan with a  
5 request for approval under this section of expenditure of federal funds combined with or as part  
6 of a block grant for a new or existing program.