

**Sixtieth Legislative Assembly of North Dakota  
In Regular Session Commencing Wednesday, January 3, 2007**

HOUSE BILL NO. 1235  
(Representatives R. Kelsch, Drovdal, Hanson)  
(Senators Flakoll, O'Connell, Wardner)

AN ACT to amend and reenact sections 15-62.2-00.1 and 15-62.2-01 of the North Dakota Century Code, relating to participation in the North Dakota scholars program by students in cross-border attendance programs.

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

**SECTION 1. AMENDMENT.** Section 15-62.2-00.1 of the North Dakota Century Code is amended and reenacted as follows:

**15-62.2-00.1. Definitions.** As used in this chapter, unless the context otherwise requires:

1. "Applicant" means an individual ~~who~~:
    - a. (1) Who has graduated from a high school in this state;
    - (2) Who has graduated from a high school in a bordering state pursuant to chapter 15.1-29; or who
    - (3) Who is a resident of this state for tuition purposes; and ~~whose~~
  - b. Whose assessment composite scores on the test of academic achievement administered by ACT, Inc., place the individual in at least the ninety-fifth percentile of all students taking the test by July first of the year preceding the year in which the individual is enrolled as a full-time resident student in an eligible institution.
2. "Eligible institution" means an accredited public or nonprofit private postsecondary institution in this state.
  3. "Full-time resident student" means an individual who ~~has~~:
    - a. (1) Has graduated from a high school in this state;
    - (2) Has graduated from a high school in a bordering state pursuant to chapter 15.1-29; or who is
    - (3) Is a resident of this state for tuition purposes; and ~~who is~~
  - b. Is enrolled at an eligible institution carrying a course of study which is "full time" as defined by the eligible institution.
4. "Scholar" means a full-time resident student who is awarded a scholarship or who has previously received a scholarship.
  5. "Scholarship" means a financial award granted to a state scholar as determined by this chapter.

**SECTION 2. AMENDMENT.** Section 15-62.2-01 of the North Dakota Century Code is amended and reenacted as follows:

**15-62.2-01. Student financial assistance and scholars programs - Establishment - Administrative responsibility.**

1. The North Dakota student financial assistance and scholars programs are established to provide grants or scholarships, or both, to assist the following students:
  1. a. Resident undergraduate students pursuant to section 15-10-19.1.
  2. b. North Dakota resident students who have attended and graduated from a high school in a bordering state pursuant to ~~section 15-40.2-10~~, chapter 15.1-29 and who are attending qualified institutions of postsecondary education within North Dakota.
  3. c. North Dakota resident students who, because of a physical or mental ~~handicap as~~ disability certified by a physician, are attending postsecondary institutions out of state due to the lack of special services or facilities, ~~or both~~, necessary to meet the postsecondary educational needs of ~~the handicapped~~ disabled students within North Dakota.
  4. d. Scholars who qualify and are selected for scholarships pursuant to sections 15-62.2-00.1 and 15-62.2-03.1 through 15-62.2-03.5.
2. A student must be in substantial need of financial assistance to receive grants under the student financial assistance program.
3. The state board of higher education shall administer the student financial assistance program and the scholars program.
4. At least twenty-three and one-half percent of the funds appropriated for the student financial assistance program must be allocated to students at private baccalaureate degree-granting institutions with the remaining funds allocated to students at public and American Indian institutions.

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Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixtieth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1235.

House Vote:      Yeas    92      Nays    0      Absent    2

Senate Vote:    Yeas    45      Nays    0      Absent    2

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2007.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2007.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2007,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State