

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

SENATE BILL NO. 2068
(Human Services Committee)
(At the request of the Department of Human Services)

AN ACT to amend and reenact section 25-03.2-03.1 of the North Dakota Century Code, relating to residential child care facility bed capacity and psychiatric residential treatment facility bed capacity.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 25-03.2-03.1 of the North Dakota Century Code is amended and reenacted as follows:

25-03.2-03.1. Moratorium on expansion of psychiatric residential treatment facility for children bed capacity - Exchange of bed capacity.

1. Notwithstanding sections 25-03.2-03 and 25-03.2-08, unless a needs assessment conducted by the department indicates a need for the licensing of additional bed capacity, the department may not issue a license under this chapter for any additional bed capacity for a psychiatric residential treatment facility for children above the state's gross number of beds licensed as of June 30, 2003. This ~~section~~subsection does not apply to nor prohibit the department from licensing additional bed capacity for a new psychiatric residential treatment facility for children if the additional beds are designated for the care of children and adolescents who are residents of other states.
2. Notwithstanding subsection 1, the department may develop a policy to:
 - a. Exchange residential child care facility bed capacity licensed under chapter 50-11 with psychiatric residential treatment facility bed capacity; or
 - b. Exchange psychiatric residential treatment facility bed capacity with residential child care facility bed capacity licensed under chapter 50-11.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2068.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 92 Nays 0 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2013.

Approved at _____ M. on _____, 2013.

Governor

Filed in this office this _____ day of _____, 2013,

at _____ o'clock _____ M.

Secretary of State