

**SENATE BILL NO. 2204**  
**with House Amendments**  
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Introduced by

Senators G. Lee, Wardner, Robinson

Representatives Owens, D. Ruby, Zubke

1 A BILL for an Act to create and enact a new section to chapter 37-17.1 and a new section to  
2 chapter 39-06.1 of the North Dakota Century Code, relating to the creation of a statewide  
3 interoperability radio network fund and surcharges assessed for certain traffic violations; to  
4 provide a continuing appropriation; and to provide for a report.

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

6 **SECTION 1.** A new section to chapter 37-17.1 of the North Dakota Century Code is created  
7 and enacted as follows:

8 **Statewide interoperability radio network fund - Continuing appropriation.**

- 9 1. A fund known as the statewide interoperability radio network fund must be maintained  
10 in the state treasury. Subject to statewide interoperability executive committee  
11 approval, moneys in the fund must be used for providing the required state share of  
12 funding for expenses associated with the purchase, installation, operation, and  
13 maintenance of a statewide interoperability radio network. The fund consists of all  
14 moneys transferred into the fund, interest on fund moneys, payments to the fund, and  
15 other fund earnings.
- 16 2. The chief information officer of the information technology department may apply for  
17 and accept funds, grants, gifts, or services made available for the statewide  
18 interoperability radio network by an agency or department of the federal government  
19 or any other person. Any funds, grants, or gifts, or moneys received from services  
20 received under this section must be placed in the statewide interoperability radio  
21 network fund.
- 22 3. Funds in the statewide interoperability radio network fund are appropriated on a  
23 continuing basis and are available to the chief information officer solely for the purpose

1           of providing services for the purchase, installation, operation, and maintenance of a  
2           statewide interoperability radio network.

3           **SECTION 2.** A new section to chapter 39-06.1 of the North Dakota Century Code is created  
4 and enacted as follows:

5           **Surcharge assessed for certain violations.**

6           1. In addition to any other penalty, an individual charged with a violation listed in section  
7           39-06.1-05 must be assessed a surcharge in an amount equal to the fine imposed.

8           The surcharge must be deposited in the statewide interoperability radio network fund.

9           2. In addition to any fees under section 39-06.1-06, an individual charged with a  
10           noncriminal violation must be assessed a surcharge in an amount equal to the fine  
11           imposed. The surcharge must be deposited in the statewide interoperability radio  
12           network fund.

13           3. The clerk of court shall deposit with the state treasurer any surcharge collected under  
14           this section.

15           **SECTION 3. INFORMATION TECHNOLOGY COMMITTEE - REPORT.** Before  
16 September 1, 2018, the statewide interoperability executive committee shall provide to the  
17 information technology committee a report regarding the implementation plan for a statewide  
18 interoperable radio network. The statewide interoperability executive committee shall engage  
19 appropriate stakeholders and include in the report any realized fiscal efficiencies as well as any  
20 reasonably foreseeable potential opportunities for additional fiscal efficiencies that could be  
21 achieved while not sacrificing the core requirements of the statewide interoperable radio  
22 network. An amount, not to exceed fifty thousand dollars, from the statewide interoperability  
23 radio network fund, is available to the chief information officer of the information technology  
24 department in order to fulfill these reporting requirements for biennium dates beginning July 1,  
25 2017, and ending June 30, 2019.