

**HOUSE BILL NO. 1103**

Introduced by

Appropriations Committee

(At the request of the Adjutant General)

1 A BILL for an Act to amend and reenact section 54-16-13 of the North Dakota Century Code,  
2 relating to borrowing of funds during a disaster or emergency.

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

4 **SECTION 1. AMENDMENT.** Section 54-16-13 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **54-16-13. Authority to borrow funds for a disaster - Continuing appropriation.**

7 Any board, agency, commission, or officer of the state, subject to the approval of the  
8 emergency commission, may borrow moneys from the Bank of North Dakota for the purpose of  
9 responding to a disaster or emergency within the state as declared by the governor pursuant to  
10 chapter 37-17.1. The amount of moneys borrowed is limited to the amount of any estimated  
11 state costs and federal cost-share reimbursement for repair, recovery, or response relating to a  
12 disaster or emergency within the state, ~~unless.~~ Unless the state contingencies appropriation is  
13 inadequate to pay the estimated state share of the costs, ~~then~~ moneys may be borrowed up to  
14 one hundred percent of the costs incurred by the agency. Any interest payments on the funds  
15 borrowed must be paid from funds available to the agency from the state contingencies  
16 appropriation as authorized by the emergency commission or other funds as authorized by the  
17 emergency commission. Any moneys borrowed from the Bank of North Dakota pursuant to this  
18 section are hereby appropriated and may be spent by the board, agency, commission, or officer  
19 of this state for the repair, recovery, or response relating to a disaster within the state. If it  
20 appears to the borrower that at the end of the biennium the amount available to repay the  
21 amount borrowed plus interest is insufficient to totally repay the Bank of North Dakota, the  
22 borrower shall request from the legislative assembly a deficiency appropriation sufficient for the  
23 repayment of the amount borrowed plus interest.