

**HOUSE BILL NO. 1203**

Introduced by

Representatives Delzer, Pollert

Senators Holmberg, Wardner

1 A BILL for an Act to amend and reenact section 37-17.1-22 of the North Dakota Century Code,  
2 relating to response and recovery costs of disasters or emergencies.

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

4 **SECTION 1. AMENDMENT.** Section 37-17.1-22 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **37-17.1-22. Disaster or emergency response and recovery costs.**

7 Whenever the governor declares a state of disaster or emergency in accordance with  
8 section 37-17.1-05, or when the governor enters into an agreement with the federal government  
9 following a disaster or emergency declared by the president of the United States, the director of  
10 the division of homeland security shall determine and record the costs of the state response  
11 and recovery operations in accordance with an agreement with the federal government or in  
12 accordance with procedures established by the governor in the case of a state-declared  
13 disaster or emergency. Immediately following the response or recovery operations, or prior  
14 thereto if determined necessary by the governor, the governor ~~shall make application~~may apply  
15 to the state emergency commission for a grant of funds in an amount equal to the response and  
16 recovery costs of the state. Notwithstanding other provisions of chapter 54-16, it must be  
17 conclusively presumed upon receipt by the emergency commission of ~~such~~the application from  
18 the governor that a disaster or emergency exists, and the commission ~~immediately shall~~may  
19 grant and direct the transfer to the department of the governor designated representative of an  
20 amount ~~equal~~up to that certified in ~~such~~the application by the governor.