

**SENATE BILL NO. 2146**

Introduced by

Education Committee

(At the request of the Office of Management and Budget)

1 A BILL for an Act to amend and reenact sections 15-40.1-05 and 15-44-03 of the North Dakota  
2 Century Code, relating to payment of state school aid by the superintendent of public  
3 instruction.

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

5 **SECTION 1. AMENDMENT.** Section 15-40.1-05 of the 1997 Supplement to the North  
6 Dakota Century Code is amended and reenacted as follows:

7 **15-40.1-05. Distribution of payments to school districts - Duty of ~~office of~~**  
8 **~~management and budget~~ superintendent of public instruction.** The superintendent of  
9 public instruction shall ~~certify to the office of management and budget a list of all school districts~~  
10 ~~in the state, together with a statement of~~ determine the total payments made to each respective  
11 school district during the previous fiscal year. The ~~office of management and budget~~  
12 ~~superintendent~~ shall pay each school district ten percent of ~~the~~ that amount ~~certified~~, within the  
13 limits of legislative appropriation, on or before July fifteenth, August first, September first, and  
14 October first of each year. The superintendent of public instruction shall determine what  
15 amounts in addition to those payments are necessary to constitute the remainder of the  
16 payments due to each school district for the current school year, ~~and shall certify to the office of~~  
17 ~~management and budget a list of all school districts in the state, together with a statement of~~  
18 ~~the payments due them~~. On or before November first, the ~~office of management and budget~~  
19 superintendent of public instruction shall pay to each school district, within limits of legislative  
20 appropriation, the amounts needed in addition to the above payments to constitute fifty percent  
21 of the sum found to be due under this chapter. On or before the first day of December,  
22 January, February, March, and April, payments equal to one-fifth of the total remaining  
23 payments must be made to each respective school district. If funds appropriated for distribution

1 to school districts for per student and transportation aid become available after April first, the  
2 superintendent shall distribute the payments no later than June thirtieth.

3 **SECTION 2. AMENDMENT.** Section 15-44-03 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5 **15-44-03. Certificate by office of management and budget - Apportionment by**  
6 **superintendent of public instruction - Warrant - Payment.** The office of management and  
7 budget on or before the third Monday in February, April, August, October, and December in  
8 each year, shall certify to the superintendent of public instruction the amount of the state tuition  
9 fund. The superintendent shall apportion such fund among the several school districts of the  
10 state in proportion to the number of children of school age residing in each as shown by the last  
11 enumeration provided for by law, and shall ~~certify to the office of management and budget and~~  
12 ~~state treasurer~~ pay the amount apportioned to the respective school districts. ~~Immediately~~  
13 ~~upon receipt of the apportionment from the superintendent of public instruction, the office of~~  
14 ~~management and budget shall pay each school district the amount to which it is entitled~~  
15 Payments from the state tuition fund ~~and such payments~~ must be combined with and paid at  
16 the same time as ~~per pupil~~ per student payments pursuant to section 15-40.1-05.