

SENATE BILL NO. 2163

Introduced by

Education Committee

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

1 A BILL for an Act to create and enact a new subsection to section 15-40.1-07.6 of the North
2 Dakota Century Code, relating to special education fund reimbursement; to repeal sections
3 15-59-06, 15-59-06.2, 15-59-07, and 15-59-07.2 of the North Dakota Century Code, relating to
4 distribution of state special education funds for student contracts, boarding care, and school
5 district liability; and to provide an effective date.

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

7 **SECTION 1.** A new subsection to section 15-40.1-07.6 of the 1997 Supplement to the
8 North Dakota Century Code is created and enacted as follows:

9 After a determination of the allocation necessary for students placed in accordance
10 with section 15-40.2-08, the remainder of the funds appropriated for student
11 contracts must be distributed for extraordinary special education expenditures
12 under this subsection. If as reported in the North Dakota school district financial
13 report, a district's ratio of state and federal revenues for special education to total
14 special education expenditures is less than the statewide average ratio, the district
15 is eligible for reimbursement of a portion of the expenditures. The proportionate
16 payment must be determined by the school district's level of need, ability to raise
17 revenue, and present school district mill levy. Payments based on estimated costs
18 must be distributed during the year in which the costs were incurred with a final
19 adjustment occurring in the following year. Reimbursements must be made as
20 provided by rules of the superintendent of public instruction and within the limits of
21 legislative appropriation.

22 **SECTION 2. REPEAL.** Sections 15-59-06.2 and 15-59-07.2 of the North Dakota
23 Century Code and sections 15-59-06 and 15-57-07 of the 1997 Supplement to the North
24 Dakota Century Code are repealed.

1 **SECTION 3. EFFECTIVE DATE.** This Act is effective July 1, 2000.