

HOUSE BILL NO. 1268

Introduced by

Representatives DeKrey, Grande, R. Kelsch, Nottestad

1 A BILL for an Act to amend and reenact subsection 2 of section 15-59-01 of the North Dakota
2 Century Code or in the alternative to amend and reenact subsection 4 of section 15.1-32-01 of
3 the North Dakota Century Code, relating to students with disabilities.

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

5 **SECTION 1. AMENDMENT.** If House Bill No. 1045 does not become effective,
6 subsection 2 of section 15-59-01 of the North Dakota Century Code is amended and reenacted
7 as follows:

8 2. "Child Student with disabilities" means ~~a child~~ an individual who ~~has reached the~~
9 ~~third birthday, and~~ is at least three years of age but who has not reached the age
10 of twenty-one ~~years by midnight of August thirty-first, before September first of the~~
11 year in which the individual turns twenty-one and who because of mental, physical,
12 emotional, or learning characteristics requires regular or special education and
13 related ~~aids and~~ services designed to meet ~~individual education~~ the individual's
14 educational needs. ~~This~~ The term includes ~~children~~ an individual who ~~are~~ is
15 mentally retarded, ~~hard of hearing~~ impaired, deaf, deaf-blind, speech or language
16 impaired, visually impaired, ~~seriously~~ emotionally or behaviorally disturbed,
17 ~~specific learning disabled~~, orthopedically impaired, ~~otherwise health impaired, or~~
18 autistic, ~~or~~ and an individual who has a specific learning disability, a traumatic
19 ~~brain injured~~ injury, or other health impairment.

20 **SECTION 2.** Subsection 4 of section 15.1-32-01 of the North Dakota Century Code as
21 created by House Bill No. 1045, as approved by the fifty-seventh legislative assembly, is
22 amended and reenacted as follows:

23 4. "Student with disabilities" means an individual who is at least three years of age
24 but who has not reached the age of twenty-one before September first of the year

1 in which the individual turns twenty-one and who because of mental, physical,
2 emotional, or learning characteristics requires regular or special education and
3 related services designed to meet the individual's educational needs. The term
4 includes an individual who is mentally retarded, hearing impaired, deaf, deaf-blind,
5 speech or language impaired, visually impaired, emotionally or behaviorally
6 disturbed, orthopedically impaired, or autistic, and an individual who has a specific
7 learning disability, a traumatic brain injury, or other health impairment.