

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2430

Introduced by

Senators O'Connell, Holmberg, Wanzek

Representatives Hanson, D. Johnson, Mueller

1 A BILL for an Act to amend and reenact section 15-40.1-05 of the North Dakota Century Code
2 or in the alternative to amend and reenact section 15.1-27-01 of the North Dakota Century
3 Code, relating to the distribution of state aid to school districts; to provide an effective date; and
4 to declare an emergency.

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

6 **SECTION 1. AMENDMENT.** If House Bill No. 1045 does not become effective, section
7 15-40.1-05 of the North Dakota Century Code is amended and reenacted as follows:

8 **15-40.1-05. Distribution of payments to school districts - Duty of superintendent**

9 **of public instruction.** The superintendent of public instruction shall determine the total
10 payments made to each ~~respective~~ school district during the previous fiscal year. The
11 superintendent shall pay each school district ten percent of that amount, within the limits of
12 legislative appropriation, on or before ~~July fifteenth~~, August first, and September first, ~~and~~
13 ~~October first~~ of each year. The superintendent shall pay each school district twenty percent of
14 that amount, within the limits of legislative appropriation, on or before October first of each year.

15 The superintendent of public instruction shall determine what amounts in addition to those
16 payments are necessary to constitute the remainder of the payments due to each school district
17 for the current school year. On or before November first, the superintendent of public
18 instruction shall pay to each school district, within limits of legislative appropriation, the
19 amounts needed in addition to the above payments to constitute ~~fifty~~ sixty percent of the sum
20 found to be due under this chapter. On or before the first day of December, January, February,
21 March, and April, payments equal to one-fifth of the total remaining payments must be made to
22 each respective school district. If funds appropriated for distribution to school districts for per
23 student and transportation aid become available after April first, the superintendent shall
24 distribute the payments no later than June thirtieth.

1 **SECTION 2. AMENDMENT.** Section 15.1-27-01 of the North Dakota Century Code as
2 created by House Bill No. 1045, as approved by the fifty-seventh legislative assembly, is
3 amended and reenacted as follows:

4 **15.1-27-01. Payments to school districts - Distribution.**

- 5 1. The superintendent of public instruction shall determine the total state payments
6 made to each school district during the previous fiscal year.
- 7 2. The superintendent of public instruction shall pay each district ten percent of the
8 amount determined under subsection 1, within the limits of legislative
9 appropriation, on or before ~~July fifteenth~~, August first, and September first, ~~and~~
10 ~~October first~~ of each year. The superintendent shall pay each school district
11 twenty percent of that amount, within the limits of legislative appropriation, on or
12 before October first of each year.
- 13 3. The superintendent of public instruction shall determine the amount that, in
14 addition to the payments already made, is necessary to constitute the remainder of
15 the amount due each district for the current school year.
- 16 4. On or before November first, the superintendent of public instruction shall pay to
17 each district, within the limits of legislative appropriation, an amount that, in
18 addition to the above payments, constitutes ~~fifty~~ sixty percent of the sum due
19 under this chapter.
- 20 5. On or before the first day of December, January, February, March, and April,
21 payments equal to twenty percent of the total remaining payments must be made
22 to each district.
- 23 6. If funds appropriated for distribution to districts as per student and transportation
24 aid become available after April first, the superintendent of public instruction shall
25 distribute the newly available payments on or before June thirtieth.

26 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective on July 1, 2001.

27 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.