A BILL for an Act to amend and reenact section 50-06-26 of the North Dakota Century Code, relating to the alternatives-to-abortion program; and to provide for an appropriation to the department of health and human services to establish and maintain the alternatives-to-abortion program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 50-06-26 of the North Dakota Century Code is amended and reenacted as follows:

50-06-26. Alternatives-to-abortion services program.

The department shall disburse funds available through title IV-A of the Social Security Act [42 U.S.C. 601 et seq.] to nongovernmental entities that provide alternatives-to-abortion services and expend funds to inform the public about this program. The services must be outcome-based with positive outcome-based results. The department, in consultation with a nongovernmental entity that provides alternatives-to-abortion services, shall contract to inform the public about this program. For purposes of this section, "alternatives-to-abortion services" are those services that promote childbirth instead of abortion by providing information, counseling, and support services that assist pregnant women or women who believe they may be pregnant to choose childbirth and to make informed decisions regarding the choice of adoption or parenting with respect to their children.

1. As used in this section, "support services" includes medical services.

2. The department shall establish and maintain an alternatives-to-abortion program that disburses funds to nongovernmental entities that provide services that promote childbirth instead of abortion by providing information, counseling, support services, and material assistance to pregnant women, women who believe they may be
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pregnant, and parents or other relatives caring for children twelve months of age or
younger.

3. The department, in consultation with a nongovernmental entity that provides
alternatives-to-abortion services, shall contract to inform the public about this program.

4. A religious organization receiving disbursements under the alternatives-to-abortion
program may retain its independence from state and local governments, including the
organization's control over the definition, development, practice, and expression of its
religious beliefs.

5. The department may not require a religious organization to alter its form of internal
governance, or remove religious art, icons, scripture, or other symbols as a condition
to receiving disbursements from the alternatives-to-abortion program.

6. If an individual receiving services under the alternatives-to-abortion program has an
objection to the religious character of the entity providing alternatives-to-abortion
services, the department shall, within a reasonable period of time after the date of the
objection, make reasonable efforts to provide the individual with assistance of an
equal value from an alternative provider accessible to the individual.

7. Except as otherwise provided by law, a religious organization may not discriminate
against an individual in regard to providing alternatives-to-abortion services on the
basis of religion, religious belief, or refusal to actively participate in religious practice.

8. If a religious organization segregates funds received from the alternatives-to-abortion
program into a separate account, then only the account in which funds were deposited
may be subject to an audit by the state.

9. Funds from the alternatives-to-abortion program may not be used for religious
worship, instruction, or proselytization.

SECTION 2. APPROPRIATION - DEPARTMENT OF HEALTH AND HUMAN SERVICES -

ALTERNATIVES-TO-ABORTION PROGRAM. There is appropriated out of any moneys in the
general fund in the state treasury, not otherwise appropriated, the sum of $1,600,000, or so
much of the sum as may be necessary, to the department of health and human services for the
purpose of establishing and maintaining the alternatives-to-abortion program, for the biennium
beginning July 1, 2023, and ending June 30, 2025.