

**SECOND ENGROSSMENT
with Senate Amendments
REENGROSSED HOUSE BILL NO. 1040**

Introduced by

Legislative Management

(Human Services Committee)

1 A BILL for an Act to create and enact a new section to chapter 50-06 of the North Dakota
2 Century Code, relating to an evidence-based alcohol and drug education program; to amend
3 and reenact subsection 3 of section 5-01-08 of the North Dakota Century Code, relating to a
4 penalty for individuals under twenty-one years of age using alcoholic beverages or entering
5 licensed premises; to provide for a report to the legislative management; to provide an
6 appropriation; and to provide a contingent appropriation.

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

8 **SECTION 1. AMENDMENT.** Subsection 3 of section 5-01-08 of the North Dakota Century
9 Code is amended and reenacted as follows:

10 3. A violation of this section is a class B misdemeanor. For a violation of subsection 2,
11 the court also shall sentence a violator to an evidence-based alcohol and drug
12 education program operated under rules adopted by the department of human
13 services under section 2 of this Act.

14 **SECTION 2.** A new section to chapter 50-06 of the North Dakota Century Code is created
15 and enacted as follows:

16 **Alcohol and drug education program - Rules - Fees.**

17 The department shall adopt rules for an evidence-based alcohol and drug education
18 program for individuals under the age of twenty-one who violate section 5-01-08. The rules must
19 allow for the program provider to charge a fee to a participant in the program.

20 **SECTION 3. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - PILOT**

21 **PROJECT - CHILDREN'S PREVENTION AND EARLY INTERVENTION BEHAVIORAL**

22 **HEALTH SERVICES - REPORT TO LEGISLATIVE MANAGEMENT.** There is appropriated out
23 of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of
24 \$400,000, or so much of the sum as may be necessary, to the department of human services

1 for the purpose of establishing a children's prevention and early intervention behavioral health
2 services pilot project in the school system of the department's choice, including services to
3 children suffering from the effects of behavioral health issues, for the biennium beginning July 1,
4 2017, and ending June 30, 2019. Before September 1, 2018, the department of human services
5 shall report to the legislative management regarding the status of the children's prevention and
6 early intervention behavioral health services pilot project.

7 **SECTION 4. CONTINGENT GENERAL FUND APPROPRIATION - DEPARTMENT OF**
8 **HUMAN SERVICES - CHILDRENS' PREVENTION AND EARLY INTERVENTION**

9 **BEHAVIORAL HEALTH SERVICES.** If actual general fund revenues for the period July 1,
10 2017, through June 30, 2018, exceed estimated general fund revenue projections for the same
11 period by at least \$5,000,000 as determined by the office of management and budget, there is
12 appropriated out of any moneys in the general fund in the state treasury, not otherwise
13 appropriated, the sum of \$1,556,000, or so much of the sum as may be necessary, to the
14 department of human services for the purpose of establishing prevention and early intervention
15 behavioral health services for children, including services for children suffering from the effects
16 of behavioral health issues, for the biennium beginning July 1, 2017, and ending June 30, 2019.
17 For purposes of this section, "estimated general fund revenues" excludes transfers to the
18 general fund from the strategic investment and improvements fund, bank of North Dakota
19 profits, property tax relief fund, the lottery, the mill and elevator, and gas tax administration.

20 **SECTION 5. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - BEHAVIORAL**
21 **HEALTH DATABASE.** There is appropriated out of any moneys in the general fund in the state

22 treasury, not otherwise appropriated, the sum of \$70,000, or so much of the sum as may be
23 necessary, to the department of human services for the purpose of providing a grant to an
24 organization administering statewide 2-1-1 services to create a behavioral health provider
25 database of profit and nonprofit organizations, for the biennium beginning July 1, 2017, and
26 ending June 30, 2019.

27 **SECTION 6. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES -**

28 **PEER-TO-PEER SUPPORT SERVICES.** There is appropriated out of any moneys in the
29 general fund in the state treasury, not otherwise appropriated, the sum of \$75,000, or so much
30 of the sum as may be necessary, to the department of human services for the purpose of
31 providing a grant to a statewide peer-to-peer support organization, for the biennium beginning

1 July 1, 2017, and ending June 30, 2019. Funds awarded must be used for providing recovery
2 and peer support services to individuals with emotional, behavioral, or mental health needs.

3 **SECTION 7. CONTINGENT GENERAL FUND APPROPRIATION - DEPARTMENT OF**
4 **HUMAN SERVICES - PEER-TO-PEER SUPPORT SERVICES.** If actual general fund revenues
5 for the period July 1, 2017, through June 30, 2018, exceed estimated general fund revenue
6 projections for the same period by at least \$5,000,000 as determined by the office of
7 management and budget, there is appropriated out of any moneys in the general fund in the
8 state treasury, not otherwise appropriated, the sum of \$125,000, or so much of the sum as may
9 be necessary, to the department of human services for the purpose of providing a grant to a
10 statewide peer-to-peer support organization, for the biennium beginning July 1, 2017, and
11 ending June 30, 2019. Funds awarded must be used for providing recovery and peer support
12 services to individuals with emotional, behavioral, or mental health needs. For purposes of this
13 section, "estimated general fund revenues" excludes transfers to the general fund from the
14 strategic investment and improvements fund, bank of North Dakota profits, property tax relief
15 fund, the lottery, the mill and elevator, and gas tax administration.

16 **SECTION 8. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES -**
17 **FAMILY-TO-FAMILY SUPPORT SERVICES.** There is appropriated out of any moneys in the
18 general fund in the state treasury, not otherwise appropriated, the sum of \$75,000, or so much
19 of the sum as may be necessary, to the department of human services for the purpose of
20 providing a grant to a statewide family-to-family support organization, for the biennium
21 beginning July 1, 2017, and ending June 30, 2019. Funds awarded must be used for providing
22 recovery and peer support services to individuals with emotional, behavioral, or mental health
23 needs.

24 **SECTION 9. CONTINGENT GENERAL FUND APPROPRIATION - DEPARTMENT OF**
25 **HUMAN SERVICES - FAMILY-TO-FAMILY SUPPORT SERVICES.** If actual general fund
26 revenues for the period July 1, 2017, through June 30, 2018, exceed estimated general fund
27 revenue projections for the same period by at least \$5,000,000 as determined by the office of
28 management and budget, there is appropriated out of any moneys in the general fund in the
29 state treasury, not otherwise appropriated, the sum of \$125,000, or so much of the sum as may
30 be necessary, to the department of human services for the purpose of providing a grant to a
31 statewide family-to-family support organization, for the biennium beginning July 1, 2017, and

1 ending June 30, 2019. Funds awarded must be used for providing recovery and peer support
2 services to individuals with emotional, behavioral, or mental health needs. For purposes of this
3 section, "estimated general fund revenues" excludes transfers to the general fund from the
4 strategic investment and improvements fund, bank of North Dakota profits, property tax relief
5 fund, the lottery, the mill and elevator, and gas tax administration.

6 **SECTION 10. APPROPRIATION - DEPARTMENT OF HUMAN SERVICES - TARGETED**
7 **CASE MANAGEMENT SERVICES.** There is appropriated out of any moneys in the general
8 fund in the state treasury, not otherwise appropriated, the sum of \$7,037,998, or so much of the
9 sum as may be necessary, and from special funds derived from federal funds and other income,
10 the sum of \$7,037,998, or so much of the sum as may be necessary, to the department of
11 human services for the purpose of expanding target case management services beginning
12 October 1, 2017, to allow designated behavioral health providers to provide targeted case
13 management services for individuals with severe mental illness and individuals with severe
14 emotional disturbance, for the biennium beginning July 1, 2017, and ending June 20, 2019.