

Introduced by

1 A BILL for an Act to amend and reenact section 37-17.3-08 of the North Dakota Century Code,  
2 relating to fees charged by the department of emergency services to local law enforcement for  
3 access to national crime information.

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

5 **SECTION 1. AMENDMENT.** Section 37-17.3-08 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **37-17.3-08. State radio system and service fees.**

8 1. The director shall establish the appropriate fees for access to the state radio  
9 system and the service provided to local government users of the mobile data  
10 terminal system and North Dakota law enforcement telecommunications systems  
11 and other such systems that may be employed that enhance public safety.  
12 Changes to fees charged by the division, including schedule of charges for  
13 counties and cities, will take effect on July first. The director shall announce any  
14 fee increases a minimum of one year ~~prior to~~ before the effective date. When the  
15 director considers an adjustment, as a part of the process the director shall consult  
16 with representatives of state and local units of government ~~prior to~~ before setting  
17 fees. The director may consider economic conditions and the general economy  
18 when setting fees. The director shall deposit all revenue obtained under this  
19 chapter with the state treasurer for deposit in the state radio broadcasting system  
20 operating account. The state radio broadcasting system operating account must  
21 be expended pursuant to legislative appropriation for the operation and  
22 maintenance of the system. ~~Fee structures will include:~~

23 ~~4. 2. Mobile data terminal fees.~~ The division shall establish and charge fees to provide  
24 mobile data terminal service to interested local law enforcement agencies except

1           for local law enforcement agencies using private commercial access to the state  
2           message switch. The fees must be based on actual costs incurred by the division  
3           for providing the service and will be levied on a per system user basis. State  
4           general fund agencies that access the system will not incur any fees for the  
5           service.

6        ~~2.~~ 3. Each county and city law enforcement department that accesses the North Dakota  
7           teletype system shall pay a fee based upon fifty percent of the actual costs  
8           incurred by the division for providing the service. Fees will be levied on a per  
9           terminal basis. Other law enforcement affiliated organizations and federal  
10          agencies will pay one hundred percent of the actual costs incurred by the division  
11          for providing the service. Fees will be levied on a per terminal basis. State general  
12          fund agencies that access the system will not incur any fees for the service. City  
13          and county law enforcement fees will be based on the following schedule of  
14          charges per terminal:

- 15        a. County population of less than five thousand shall pay thirty dollars per  
16          month.
- 17        b. County population of five thousand or more but less than ten thousand shall  
18          pay sixty dollars per month.
- 19        c. County population of ten thousand or more but less than fifteen thousand  
20          shall pay ninety dollars per month.
- 21        d. County population of fifteen thousand or more but less than twenty-five  
22          thousand shall pay one hundred twenty dollars per month.
- 23        e. County population of twenty-five thousand or more shall pay one hundred  
24          sixty dollars per month.