

**FIRST ENGROSSMENT  
with Conference Committee Amendments  
ENGROSSED SENATE BILL NO. 2094**

Introduced by

Education Committee

(At the request of the North Dakota University System)

1 A BILL for an Act to amend and reenact section 15-10.3-03 of the North Dakota Century Code,  
2 relating to mandatory fees assessed by institutions of higher education; and to declare an  
3 emergency.

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

5 **SECTION 1. AMENDMENT.** Section 15-10.3-03 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **15-10.3-03. (~~Effective through June 30, 2013~~) Mandatory fees - Limitation on**  
8 **increases - Exemption.**

9 1. The total amount of mandatory fees, other than program-specific fees, which an  
10 institution under the control of the state board of higher education assesses each  
11 full-time and part-time student, may not increase from one academic year to the  
12 ensuing academic year by more than one percent of the latest available average  
13 full-time, resident, on-campus, undergraduate tuition rate at that institution, unless the  
14 state board determines that an exemption from the requirements of this section is  
15 necessitated as a result of:

- 16 ~~1.~~ Documented extraordinary circumstances; or
- 17 ~~2.~~ Student student demand, as evidenced by a campuswide student election ~~or formal~~  
18 ~~action by an institution's student governing board or committee.~~

19 2. a. Before mandatory fees on students may be increased to support the construction  
20 or renovation of a campus building valued at more than one million dollars, the  
21 use must be approved by a majority of the students voting on the question at a  
22 campuswide election.

23 b. This subsection does not apply to any construction or renovation for which the  
24 use of mandatory fees was authorized before July 1, 2013.

1        **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.