

Introduced by

Senators Schaible, Heckaman, Rust

Representatives Owens, Heinert

1 A BILL for an Act to create and enact a new section to chapter 15.1-09 and a new section to
2 chapter 57-15 of the North Dakota Century Code, relating to school district safety plans and
3 levy authority for a school safety plan; to amend and reenact section 57-15-14.2 of the North
4 Dakota Century Code, relating to school district levies for a school safety plan; ~~and~~ to provide
5 an effective date; and to declare an emergency.

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

7 **SECTION 1.** A new section to chapter 15.1-09 of the North Dakota Century Code is created
8 and enacted as follows:

9 **School district safety plan - Establishment of school safety plan fund - Approval -**
10 **Open records exemption.**

11 The board of a school district may develop a school safety plan in consultation with the
12 qualified electors residing within the district, and establish and maintain a school safety plan
13 fund subject to the limitations in section 57-15-14.2. A school safety plan developed by the
14 board of a school district is exempt from the provisions of section 44-04-18 and section 6 of
15 article XI of the Constitution of North Dakota with respect to aspects of the plan addressing the
16 security of students.

17 **SECTION 2.** A new section to chapter 57-15 of the North Dakota Century Code is created
18 and enacted as follows:

19 ~~**School district safety plan -- Establishment of Tax levy for school safety plan fund --**~~
20 ~~**Approval.**~~

21 ~~The school board of a school district may develop levy taxes for a school safety plan and~~
22 ~~establish and maintain a school safety plan fund, subject to the limitations in section 57-15-14.2.~~
23 ~~The plan must be approved, when authorized to do so by a majority of the qualified electors of a~~
24 ~~school district voting upon the question at any regular or special school district election. The~~

1 ~~plan must be reauthorized at least once every five years~~ The ballot must specify the number of
2 mills proposed for approval and the number of years for which that approval is to apply.
3 Approval or reauthorization by electors of levy authority under this section may not be effective
4 for more than five taxable years.

5 **SECTION 3. AMENDMENT.** Section 57-15-14.2 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **57-15-14.2. School district levies.**

- 8 1. For taxable years after 2013, the board of a school district may levy a tax not
9 exceeding the amount in dollars that the school district levied for the prior year, plus
10 twelve percent, up to a levy of seventy mills on the taxable valuation of the district, for
11 any purpose related to the provision of educational services. The proceeds of this levy
12 must be deposited into the school district's general fund and used in accordance with
13 this subsection. The proceeds may not be transferred into any other fund.
- 14 2. For taxable years after 2013, the board of a school district may levy no more than
15 twelve mills on the taxable valuation of the district, for miscellaneous purposes and
16 expenses. The proceeds of this levy must be deposited into a special fund known as
17 the miscellaneous fund and used in accordance with this subsection. The proceeds
18 may not be transferred into any other fund.
- 19 3. The board of a school district may levy no more than three mills on the taxable
20 valuation of the district for deposit into a special reserve fund, in accordance with
21 chapter 57-19.
- 22 4. The board of a school district may levy no more than the number of mills necessary,
23 on the taxable valuation of the district, for the payment of tuition, in accordance with
24 section 15.1-29-15. The proceeds of this levy must be deposited into a special fund
25 known as the tuition fund and used in accordance with this subsection. The proceeds
26 may not be transferred into any other fund.
- 27 5. The board of a school district may levy no more than five mills on the taxable valuation
28 of the district, pursuant to section 2 of this Act, for purposes of developing a school
29 safety plan in accordance with section 1 of this Act. The proceeds of this levy must be
30 deposited into a special fund known as the school safety plan fund and used in
31 accordance with this subsection.

- 1 6. Nothing in this section limits the board of a school district from levying:
- 2 a. Mills for a building fund, as permitted in sections 15.1-09-49 and 57-15-16; and
- 3 b. Mills necessary to pay principal and interest on the bonded debt of the district,
- 4 including the mills necessary to pay principal and interest on any bonded debt
- 5 incurred under section 57-15-17.1 before July 1, 2013.

6 **SECTION 4. EFFECTIVE DATE.** This Act is effective for taxable years beginning after

7 December 31, 2018.

8 **SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure.