

Sixty-seventh
Legislative Assembly
of North Dakota

REENGROSSED SENATE BILL NO. 2030

Introduced by

Legislative Management

(Higher Education Committee)

1 A BILL for an Act to provide an appropriation to the state board of higher education for the
2 higher education challenge matching grant program; to create and enact paragraph 3 of
3 subdivision b of subsection 1 of section 15-10-48 and paragraph 3 of subdivision b of
4 subsection 1 of section 15-10-49 of the North Dakota Century Code, relating to institution
5 eligibility for a matching grant for the advancement of academics; ~~and to amend and reenact~~
6 ~~subdivision c of subsection 1 of section 15-10-48, subdivision a of subsection 1 of section~~
7 ~~15-10-49, subdivision c of subsection 1 of section 15-10-49, and subdivision a of subsection 2-~~
8 ~~of section 15-10-49 and section 15-18.2-05~~ of the North Dakota Century Code, relating to
9 matching grants for the advancement of academics and state aid for institutions of higher
10 education; to repeal subdivision d of subsection 1 of section 15-10-48 of the North Dakota
11 Century Code, relating to the eligibility of the university of North Dakota school of medicine and
12 health sciences to receive a matching grant for the advancement of academics; and to provide
13 a penalty.

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

15 **SECTION 1. APPROPRIATION.** There is appropriated out of any moneys in the general
16 fund in the state treasury, not otherwise appropriated, the sum of ~~\$21,500,000~~\$11,150,000, or
17 so much of the sum as may be necessary, to the state board of higher education for the
18 purpose of awarding matching grants for student scholarships and the advancement of
19 academics at institutions of higher education, for the biennium beginning July 1, 2021, and
20 ending June 30, 2023. The funding provided in this section is considered a one-time funding
21 item.

22 **SECTION 2.** Paragraph 3 of subdivision b of subsection 1 of section 15-10-48 of the North
23 Dakota Century Code is created and enacted as follows:

1 (3) The institution is not sponsoring, partnering with, applying for grants with, or
2 providing a grant subaward to any person or organization that performs, or
3 promotes the performance of, an abortion unless the abortion is necessary
4 to prevent the death of the woman, and not participating in or sponsoring
5 any program producing, distributing, publishing, disseminating, endorsing,
6 or approving materials of any type or from any organization, that between
7 normal childbirth and abortion, do not give preference, encouragement, and
8 support to normal childbirth. This paragraph does not apply to agreements
9 entered into with medical hospitals and clinics by the university of North
10 Dakota school of medicine and health sciences or by any nursing education
11 program at an institution under the control of the state board of higher
12 education.

13 **SECTION 3. AMENDMENT.** Subdivision c of subsection 1 of section 15-10-48 of the North
14 Dakota Century Code is amended and reenacted as follows:

- 15 c. The board may award up to ~~one million seven~~three million five hundred thousand
16 dollars in matching grants ~~to each institution~~to the university of North Dakota and
17 North Dakota state university; and up to one million five hundred thousand dollars
18 in matching grants for projects at the university of North Dakota school of
19 medicine and health sciences.

20 ~~**SECTION 4. AMENDMENT.** Subdivision a of subsection 1 of section 15-10-49 of the North~~
21 ~~Dakota Century Code is amended and reenacted as follows:~~

- 22 ~~a. Subject to legislative appropriations, each biennium during the period beginning~~
23 ~~July first of each odd-numbered year and ending December thirty-first of each~~
24 ~~even-numbered year, the state board of higher education shall award one dollar~~
25 ~~in matching grants for every two dollars raised by the institutional foundations of:~~

26 ~~(1) Bismarek state college, Dakota college at Bottineau, Dickinson state~~
27 ~~university, Lake Region state college, Mayville state university, Minot state~~
28 ~~university, North Dakota state college of science, Valley City state university,~~
29 ~~and Williston state college for projects dedicated exclusively to the~~
30 ~~advancement of academics; and~~

1 ~~_____ (2) University of Jamestown and university of Mary for projects dedicated~~
2 ~~_____ exclusively to student scholarships.~~

3 **SECTION 4.** Paragraph 3 of subdivision b of subsection 1 of section 15-10-49 of the North
4 Dakota Century Code is created and enacted as follows:

5 (3) The institution is not sponsoring, partnering with, applying for grants with, or
6 providing a grant subaward to any person or organization that performs, or
7 promotes the performance of, an abortion unless the abortion is necessary
8 to prevent the death of the woman, and not participating in or sponsoring
9 any program producing, distributing, publishing, disseminating, endorsing,
10 or approving materials of any type or from any organization, that between
11 normal childbirth and abortion, do not give preference, encouragement, and
12 support to normal childbirth. This paragraph does not apply to agreements
13 entered into with medical hospitals and clinics by the university of North
14 Dakota school of medicine and health sciences or by any nursing education
15 program at an institution under the control of the state board of higher
16 education.

17 ~~_____ **SECTION 6. AMENDMENT.** Subdivision c of subsection 1 of section 15-10-49 of the North~~
18 ~~Dakota Century Code is amended and reenacted as follows:~~

19 ~~_____ c. The board may award up to:~~

20 ~~_____ (1) Nine hundred fifty thousandTwo million dollars each to Bismarck state~~
21 ~~college, Minot state university, and the North Dakota state college of~~
22 ~~science;~~

23 ~~_____ (2) SevenOne million five hundred thousand dollars each to Dickinson state~~
24 ~~university, Mayville state university, and Valley City state university; and~~

25 ~~_____ (3) Three hundredSeven hundred fifty thousand dollars each to Dakota college~~
26 ~~at Bottineau, university of Jamestown, Lake Region state college, university~~
27 ~~of Mary, and Williston state college.~~

28 ~~_____ **SECTION 7. AMENDMENT.** Subdivision a of subsection 2 of section 15-10-49 of the North~~
29 ~~Dakota Century Code is amended and reenacted as follows:~~

30 ~~_____ a. If any available dollars have not been awarded by the board before January first~~
31 ~~of each odd-numbered year, in accordance with subsection 1, any institution~~

~~listed in paragraph 1 of subdivision a of subsection 1 may apply for an additional matching grant.~~

SECTION 5. AMENDMENT. Section 15-18.2-05 of the North Dakota Century Code is amended and reenacted as follows:

15-18.2-05. Base funding - Determination of state aid - Penalty.

1. Except as provided under ~~subsection~~subsections 2 and 3, in order to determine the state aid payment to which each institution under its control is entitled, the state board of higher education shall multiply the product determined under section 15-18.2-04 by a base amount of:
 - a. \$60.87 in the case of North Dakota state university and the university of North Dakota;
 - b. \$90.98 in the case of Dickinson state university, Mayville state university, Minot state university, and Valley City state university; and
 - c. \$97.06 in the case of Bismarck state college, Dakota college at Bottineau, Lake Region state college, North Dakota state college of science, and Williston state college.
2. An institution is entitled to an amount equal to seventy-five percent of the product determined under subsection 1 for credits completed by students receiving a tuition waiver pursuant to section 54-12-35.
3. An institution must certify to the state board of higher education that the institution is not sponsoring, partnering with, applying for grants with, or providing a grant subaward to any person or organization that performs or promotes the performance of an abortion unless the abortion is necessary to prevent the death of the woman, and not participating in or sponsoring any program producing, distributing, publishing, disseminating, endorsing, or approving materials of any type or from any organization which, between normal childbirth and abortion, do not give preference, encouragement, and support to normal childbirth. If an institution violates this subsection, the state board of higher education shall reduce the product determined in subsection 1 for that institution by two million eight hundred thousand dollars. This subsection does not apply to agreements entered into with medical hospitals and clinics by the university of North Dakota school of medicine and health sciences or by

1 any nursing education program at an institution under the control of the state board of
2 higher education.

3 4. Any individual who signs a contract in violation of subsection 3 is guilty of a class B
4 misdemeanor. The state's attorney shall prosecute an offense under this subsection.

5 **SECTION 6. REPEAL.** Subdivision d of subsection 1 of section 15-10-48 of the North
6 Dakota Century Code is repealed.