Sixty-seventh
Legislative Assembly
of North Dakota

Introduced by

Legislative Management

(Higher Education Committee)

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

SECTION 2. Paragraph 3 of subdivision b of subsection 1 of section 15-10-48 of the North
Dakota Century Code is created and enacted as follows:
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, that between normal childbirth and abortion, do not give preference, encouragement, and support to normal childbirth. This paragraph 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 any nursing education program at an institution under the control of the state board of higher education.

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

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

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

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

(1) Bismarck state college, Dakota college at Bottineau, Dickinson state university, Lake Region state college, Mayville state university, Minot state university, North Dakota state college of science, Valley City state university, and Williston state college for projects dedicated exclusively to the advancement of academics; and
SECTION 4. Paragraph 3 of subdivision b of subsection 1 of section 15-10-49 of the North Dakota Century Code is created and enacted as follows:

(3) 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, that between normal childbirth and abortion, do not give preference, encouragement, and support to normal childbirth. This paragraph 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 any nursing education program at an institution under the control of the state board of higher education.

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

c. The board may award up to:

(1) Nine hundred fifty thousand dollars each to Bismarck state college, Minot state university, and the North Dakota state college of science;

(2) Seven hundred fifty thousand dollars each to Dickinson state university, Mayville state university, and Valley City state university; and

(3) Three hundred seventy-five thousand dollars each to Dakota college at Bottineau, university of Jamestown, Lake Region state college, university of Mary, and Williston state college.

SECTION 7. AMENDMENT. Subdivision a of subsection 2 of section 15-10-49 of the North Dakota Century Code is amended and reenacted as follows:
a. If any available dollars have not been awarded by the board before January first of each odd-numbered year, in accordance with subsection 1, any institution...
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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 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.
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<td>any nursing education program at an institution under the control of the state board of higher education.</td>
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<td>3</td>
<td>4. Any individual who signs a contract in violation of subsection 3 is guilty of a class B misdemeanor. The state's attorney shall prosecute an offense under this subsection.</td>
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<td>SECTION 6. REPEAL. Subdivision d of subsection 1 of section 15-10-48 of the North Dakota Century Code is repealed.</td>
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