

**THIRD ENGROSSMENT
with House Amendments
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; to amend and reenact
6 subdivision c of subsection 1 of section 15-10-48 and section 15-18.2-05 of the North Dakota
7 Century Code, relating to matching grants for the advancement of academics and state aid for
8 institutions of higher education; to repeal subdivision d of subsection 1 of section 15-10-48 of
9 the North Dakota Century Code, relating to the eligibility of the university of North Dakota school
10 of medicine and health sciences to receive a matching grant for the advancement of academics;
11 and to provide a penalty.

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

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

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

21 (3) The institution is not sponsoring, partnering with, applying for grants with, or
22 providing a grant subaward to any person or organization that performs, or
23 promotes the performance of, an abortion unless the abortion is necessary
24 to prevent the death of the woman, and not participating in or sponsoring

1 any program producing, distributing, publishing, disseminating, endorsing,
2 or approving materials of any type or from any organization, that between
3 normal childbirth and abortion, do not give preference, encouragement, and
4 support to normal childbirth. This paragraph does not apply to agreements
5 entered into with medical hospitals and clinics by the university of North
6 Dakota school of medicine and health sciences or by any nursing education
7 program at an institution under the control of the state board of higher
8 education.

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

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

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

- 18 (3) The institution is not sponsoring, partnering with, applying for grants with, or
19 providing a grant subaward to any person or organization that performs, or
20 promotes the performance of, an abortion unless the abortion is necessary
21 to prevent the death of the woman, and not participating in or sponsoring
22 any program producing, distributing, publishing, disseminating, endorsing,
23 or approving materials of any type or from any organization, that between
24 normal childbirth and abortion, do not give preference, encouragement, and
25 support to normal childbirth. This paragraph does not apply to agreements
26 entered into with medical hospitals and clinics by the university of North
27 Dakota school of medicine and health sciences or by any nursing education
28 program at an institution under the control of the state board of higher
29 education.

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

1 **15-18.2-05. Base funding - Determination of state aid - Penalty.**

2 1. Except as provided under ~~subsections~~subsections 2 and 3, in order to determine the
3 state aid payment to which each institution under its control is entitled, the state board
4 of higher education shall multiply the product determined under section 15-18.2-04 by
5 a base amount of:

6 a. \$60.87 in the case of North Dakota state university and the university of North
7 Dakota;

8 b. \$90.98 in the case of Dickinson state university, Mayville state university, Minot
9 state university, and Valley City state university; and

10 c. \$97.06 in the case of Bismarck state college, Dakota college at Bottineau, Lake
11 Region state college, North Dakota state college of science, and Williston state
12 college.

13 2. An institution is entitled to an amount equal to seventy-five percent of the product
14 determined under subsection 1 for credits completed by students receiving a tuition
15 waiver pursuant to section 54-12-35.

16 3. An institution must certify to the state board of higher education that the institution is
17 not sponsoring, partnering with, applying for grants with, or providing a grant subaward
18 to any person or organization that performs or promotes the performance of an
19 abortion unless the abortion is necessary to prevent the death of the woman, and not
20 participating in or sponsoring any program producing, distributing, publishing,
21 disseminating, endorsing, or approving materials of any type or from any organization
22 which, between normal childbirth and abortion, do not give preference,
23 encouragement, and support to normal childbirth. If an institution violates this
24 subsection, the state board of higher education shall reduce the product determined in
25 subsection 1 for that institution by two million eight hundred thousand dollars. This
26 subsection does not apply to agreements entered into with medical hospitals and
27 clinics by the university of North Dakota school of medicine and health sciences or by
28 any nursing education program at an institution under the control of the state board of
29 higher education.

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

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