

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

HOUSE BILL NO. 1092
(Education Committee)
(At the request of the State Board for Career and Technical Education)

AN ACT to create and enact a new subsection to section 15-20.4-02 of the North Dakota Century Code, relating to exemption of certain institutions from regulation by the state board for career and technical education; and to amend and reenact subsection 2 of section 15-20.4-03 and subsections 2 and 12 of section 43-12.1-04 of the North Dakota Century Code, relating to authorization to operate academic or professional postsecondary educational institutions and exemptions from the Nurse Practices Act.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new subsection to section 15-20.4-02 of the North Dakota Century Code is created and enacted as follows:

Institutions whose only physical presence in this state consists of students enrolled in practicums, internships, clinicals, or student teaching in this state.

SECTION 2. AMENDMENT. Subsection 2 of section 15-20.4-03 of the North Dakota Century Code is amended and reenacted as follows:

2. Prescribe forms and conditions for, receive, investigate as it may deem necessary, and act upon applications for authorization to operate postsecondary educational institutions. Authorization to operate an academic or professional postsecondary educational institution offering educational credentials may be issued only upon approval of the executive officer and the commissioner of the state board of higher education or the commissioner's designee.

SECTION 3. AMENDMENT. Subsection 2 of section 43-12.1-04 of the North Dakota Century Code is amended and reenacted as follows:

2. A student practicing nursing as a part of an in-state board-approved nursing education program.

SECTION 4. AMENDMENT. Subsection 12 of section 43-12.1-04 of the North Dakota Century Code is amended and reenacted as follows:

12. ~~Upon written notification to the board by an out-of-state nursing program, a student practicing nursing as a part of a nursing education program preparing for initial or advanced licensure as a registered nurse or licensed practical nurse which is approved by a board of nursing and is located in an institution of higher education that offers transferable credit.~~ A student practicing nursing as part of an out-of-state board-recognized nursing education program, upon written notification to the board and contingent upon clinical site availability.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1092.

House Vote: Yeas 92 Nays 0 Absent 2

Senate Vote: Yeas 46 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2011.

Approved at _____ M. on _____, 2011.

Governor

Filed in this office this _____ day of _____, 2011,

at _____ o'clock _____ M.

Secretary of State