

**HOUSE BILL NO. 1153**

Introduced by

Representatives Delzer, Carlson, Kempenich, Lefor, Pollert, Seibel

Senator G. Lee

1 A BILL for an Act to amend and reenact section 54-06-31 of the North Dakota Century Code,  
2 relating to state employee recruitment and retention bonus programs.

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

4 **SECTION 1. AMENDMENT.** Section 54-06-31 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **54-06-31. State employee recruitment and retention bonus programs - Criteria -**  
7 **Limitations.**

8 State agencies may develop programs to provide bonuses to recruit or retain employees in  
9 hard-to-fill occupations.

10 1. State agencies may pay recruitment and retention bonuses under this section only if:

11 a. The agency has a written policy in place identifying eligible positions or  
12 occupations and provisions for providing and receiving bonuses;

13 b. The agency has filed a copy of the written policy with the North Dakota human  
14 resource management services; and

15 c. The agency reports to the North Dakota human resource management services  
16 each bonus provided to an employee under the program.

17 2. A bonus paid under this section to an employee in the governor's office or any state  
18 officer appointed by the governor may not exceed ten percent of the employee's  
19 annual salary or five thousand dollars, whichever is less.

20 3. State agencies must fund bonus programs from within the agency salaries and wages  
21 budget.

22 ~~3.4.~~ The North Dakota human resource management services shall report periodically to  
23 the legislative management on the implementation, progress, and bonuses provided  
24 under agency recruitment and retention bonus programs.

- 1     4.5.   Bonuses paid under this section are not fiscal irregularities under section 54-14-03.1.
- 2     5.6.   As used in this section, a hard-to-fill occupation includes an occupation or position in
- 3           which demand exceeds supply, special qualifications are required, competition with
- 4           other employers is the strongest, there is a risk of losing an incumbent with rare skills,
- 5           the position is filled by a highly skilled employee who is in high demand in the
- 6           marketplace, loss of the employee would result in significant replacement costs, the
- 7           position is filled by key personnel, or the position has other unique recruitment or
- 8           retention issues identified and documented by the appointing authority.