

**HOUSE BILL NO. 1242**

Introduced by

Representatives Bosch, Heinert, Nathe, Porter

Senators Axtman, Davison, Larson

1 A BILL for an Act to amend and reenact section 37-17.3-12 and subsection 2 of section  
2 57-40.6-02 of the North Dakota Century Code, relating to the statewide interoperable radio  
3 network; to repeal section 6 of chapter 293 of the 2019 Session Laws, relating to a line of credit  
4 authorized for the statewide interoperable radio network project; to provide an appropriation; to  
5 provide for a transfer; and to declare an emergency.

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

7 **SECTION 1. AMENDMENT.** Section 37-17.3-12 of the North Dakota Century Code is  
8 amended and reenacted as follows:

9 **37-17.3-12. Statewide interoperable radio network fund.**

- 10 1. A fund known as the statewide interoperable radio network fund must be maintained in  
11 the state treasury. Subject to legislative approval and ~~statewide interoperability-~~  
12 ~~executive committee~~department of emergency services approval, moneys in the fund  
13 must be used for providing the required state share of funding for expenses  
14 associated with the purchase, installation, operation, and maintenance of a statewide  
15 interoperable radio network. The fund consists of all moneys transferred into the fund,  
16 interest earned on moneys in the fund, payments to the fund, and other fund earnings.
- 17 2. The ~~chief information officer of the information technology department~~director of the  
18 division of homeland security may apply for and accept funds, grants, gifts, or services  
19 made available for the statewide interoperable radio network by an agency or  
20 department of the federal government or any other person. Any funds, grants, or gifts,  
21 or moneys received from services received under this section must be deposited in the  
22 statewide interoperable radio network fund.

1           3. Revenue received by a political subdivision in accordance with subsection 2 of section  
2           57-40.6-02 must be remitted to the state treasurer for deposit in the statewide  
3           interoperable radio network fund.

4           **SECTION 2. AMENDMENT.** Subsection 2 of section 57-40.6-02 of the North Dakota  
5 Century Code is amended and reenacted as follows:

6           2. A political subdivision shall add a fee of fifty cents to the fee imposed on assessed  
7           communications services established under subsection 1. The additional fifty cents per  
8           communication connection must be remitted to the state treasurer for deposit in the  
9           statewide interoperable radio network fund in accordance with section 37-17.3-12 for  
10          ~~implementing a ongoing administrative and operational maintenance costs of the~~  
11          statewide interoperable radio network. The funds collected under this subsection must  
12          be expended ~~in a manner consistent with the recommendations of the statewide-~~  
13          ~~interoperability executive committee~~ by the department of emergency services in  
14          accordance with legislative appropriations.

15          **SECTION 3. TRANSFER - BANK OF NORTH DAKOTA PROFITS TO STATEWIDE**  
16 **INTEROPERABLE RADIO NETWORK FUND.** The Bank of North Dakota shall transfer the  
17 sum of \$20,000,000, or so much of the sum as may be necessary, from the Bank's current  
18 earnings and undivided profits to the statewide interoperable radio network fund during the  
19 biennium beginning July 1, 2023, and ending June 30, 2025.

20          **SECTION 4. APPROPRIATION - INFORMATION TECHNOLOGY DEPARTMENT - LINE**  
21 **OF CREDIT REPAYMENT - STATEWIDE INTEROPERABLE RADIO NETWORK FUND -**  
22 **ONE-TIME FUNDING.** There is appropriated out of any moneys in the statewide interoperable  
23 radio network fund in the state treasury, not otherwise appropriated, the sum of \$20,000,000, or  
24 so much of the sum as may be necessary, to the information technology department for the  
25 purpose of repaying the Bank of North Dakota line of credit authorized in section 6 of  
26 chapter 293 of the 2019 Session Laws, for the biennium beginning July 1, 2023, and ending  
27 June 30, 2025. This funding is considered a one-time funding item.

28          **SECTION 5. APPROPRIATION - INFORMATION TECHNOLOGY DEPARTMENT -**  
29 **STATEWIDE INTEROPERABLE RADIO NETWORK PROJECT - FEDERAL STATE FISCAL**  
30 **RECOVERY FUND - ONE-TIME FUNDING.** There is appropriated from federal funds derived  
31 from the state fiscal recovery fund, not otherwise appropriated, the sum of \$80,000,000, or so

1 much of the sum as may be necessary, to the information technology department for the  
2 purpose of the statewide interoperable radio network project, for the biennium beginning July 1,  
3 2023, and ending June 30, 2025. This funding is considered a one-time funding item.

4 **SECTION 6. APPROPRIATION - ADJUTANT GENERAL - STATEWIDE**  
5 **INTEROPERABLE RADIO NETWORK MAINTENANCE - STATEWIDE INTEROPERABLE**  
6 **RADIO NETWORK FUND.** There is appropriated out of any moneys in the general fund in the  
7 state treasury, not otherwise appropriated, the sum of \$1,858,240, or so much of the sum as  
8 may be necessary, and any moneys in the statewide interoperable radio network fund, not  
9 otherwise appropriated, the sum of \$12,335,556, or so much of the sum as may be necessary,  
10 to the adjutant general for the purpose of paying ongoing administrative and operational  
11 maintenance costs of the statewide interoperable radio network, for the biennium beginning  
12 July 1, 2023, and ending June 30, 2025.

13 **SECTION 7. REPEAL.** Section 6 of chapter 293 of the 2019 Session Laws is repealed.

14 **SECTION 8. EMERGENCY.** This Act is declared to be an emergency measure.