

**SECOND ENGROSSMENT
with Senate Amendments
REENGROSSED HOUSE BILL NO. 1501**

Introduced by

Representatives Roers Jones, Heinert, M. Johnson, Pyle

Senator Rust

1 A BILL for an Act to create and enact a new section to chapter 15.1-09 of the North Dakota
2 Century Code, relating to suspension of a member of a school board; to amend and reenact
3 section 54-10-15 of the North Dakota Century Code, relating to audits and suspension of school
4 board members; and to declare an emergency.

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

6 **SECTION 1.** A new section to chapter 15.1-09 of the North Dakota Century Code is created
7 and enacted as follows:

8 **School board membership - Suspension.**

9 Upon the filing of a petition under chapter 44-11 for removal by the governor, the governor,
10 in consultation with the superintendent of public instruction, may suspend a member of a school
11 board pending the results of an audit in accordance with section 54-10-15.

12 **SECTION 2. AMENDMENT.** Section 54-10-15 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **54-10-15. Audits of political subdivisions by order of governor or the legislative audit**
15 **and fiscal review committee, upon petition, or upon request of the state court**
16 **administrator.**

17 1. The state auditor, by duly appointed deputy auditors or other authorized agents, shall
18 audit or review the books, records, and financial accounts of any political subdivision
19 when ordered by the governor or the legislative audit and fiscal review committee,
20 requested by the governing board, or upon petition of at least thirty-five percent of the
21 qualified electors of any political subdivision enumerated in section 54-10-14 voting for
22 the office of governor at the preceding general election or, in the case of school
23 districts, upon petition of at least thirty-five percent of the qualified electors voting at
24 the preceding school board election, or upon the request of the state court

1 administrator with respect to clerk of district court services provided by a county in
2 accordance with chapter 27-05.2. Fees for the audits must be paid in accordance with
3 the provisions of section 54-10-14.

4 2. If an audit is ordered due to financial irregularities or allegations of embezzlement, the
5 governor may suspend an elected or appointed school board member from the
6 individual's duties if the governor determines suspension is in the best interest of the
7 state pending the results of the audit. If the governor suspends an elected or
8 appointed school board member, the governor immediately shall provide notice to the
9 school board with which the suspended member serves. Within five days of receiving
10 notice, the school board shall appoint an individual to replace the suspended member
11 to serve during the pendency of the audit. The governor shall consult with the
12 superintendent of public instruction in determining whether suspension of a member of
13 a school board is in the best interest of the state.

14 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.