

**CHAPTER 50-03
COUNTY HUMAN SERVICES FUND**

50-03-00.1. Definitions.

Terms defined in chapter 50-01.2 have the same meaning when used in this chapter.

50-03-01. Board of county commissioners may levy human services tax.

The board of county commissioners, if it deems it expedient, annually at its session at which the county tax is ordered to be levied and assessed, may levy and assess a human services tax for the support of needy persons in its county.

50-03-02. County human services fund.

Each county in this state shall maintain a fund to be known as the county human services fund into which the county treasurer, immediately upon receipt thereof, shall pay that proportion of the tax receipts which the county human services appropriation bears to the total county appropriations.

50-03-03. Relief expenditures paid from human services fund.

All expenditures by the county for the relief of the needy must be paid out of the county human services fund. The fund is not subject to any other charges and is exempt from section 21-02-08.

50-03-04. Transfer of money to human services fund.

If the human services appropriation made by a board of county commissioners is not sufficient to meet the expenditures required by law, the county auditor, on order of the board of county commissioners, may make a transfer to the county human services fund from any other fund, except sinking and interest funds set aside to pay the principal or interest on outstanding bond issues or funds set aside to retire any other outstanding indebtedness.

50-03-05. Emergency expenditures - Special warrants.

If the unexpended balance in any fund or funds of the county which may be transferred to the county human services fund is insufficient to meet an emergency created by unusual and unanticipated demands on the human services fund, the board of county commissioners, by resolution, may authorize the expenditure of an amount in excess of budget appropriations and may obligate the county in excess of such appropriations for the purpose of replenishing the human services fund. For such emergency expenditures, the county auditor immediately shall issue special warrants to be known and designated as "warrant for emergency human services". Section 21-02-08 does not apply to such emergency expenditures.

50-03-06. Expenditure of total county appropriation - How appropriation following year determined.

If the board of county commissioners of any county, due to an emergency, expends in any one year such an amount for human services purposes that the total county appropriations for that year are exceeded, the appropriations for the following year, to make up the deficit caused by such expenditures, shall not be included within the appropriations subject to the tax levy limitation for general county purposes provided by law.

50-03-07. Appropriation for food stamp program administration - Financial agreement.

Repealed by S.L. 1997, ch. 403, § 13.

50-03-08. Appropriation for county social service board administration and programs.

The board of county commissioners of each county annually shall appropriate and make available to the human services fund an amount sufficient to pay:

1. The local expenses of administration of locally administered economic assistance programs;
2. That county's share of fifteen percent of the amount expended in this state, in excess of the amount provided by the federal government, for medical assistance in the form of payments for care furnished to recipients of therapeutic foster care services; and
3. That county's share of the cost of other family preservation services, including intensive in-home services, provided under title VI-B, subpart 2, of the Social Security Act [Pub. L. 103-66, title XIII, 13711(a)(2); 107 Stat. 649 et seq.; 42 U.S.C. 629 et seq.], as amended, as may be agreed to by the department and the county social service board.

50-03-09. Department to develop formula.

The department, with the cooperation of the boards of county commissioners, shall develop a formula to be used to determine the appropriate amount of each county's share under subsection 2 of section 50-03-08.

50-03-10. County commissions to make recommendations.

Before August first of each year, the boards of county commissioners of the counties shall make a collective recommendation to the department concerning the distribution between counties, of the social service block grant funds and the general fund equivalents of social service block grant funds available to the department for distribution to county social service boards. The department shall consider the recommendation of the county commissioners in determining the distribution to the county social service boards, in the following calendar year, of the social service block grant funds and the general fund equivalents of social service block grant funds available to the department for that purpose.