

**Sixty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2023**

SENATE BILL NO. 2335  
(Senators K. Roers, Dever, Lee)  
(Representatives Beltz, Nelson)

AN ACT to create and enact a new section to chapter 1-03 of the North Dakota Century Code, relating to establishing an annual day of awareness for fetal alcohol spectrum disorder; to amend and reenact subsection 3 of section 25-01.2-01 of the North Dakota Century Code, relating to fetal alcohol spectrum disorder; and to repeal section 50-06-32 of the North Dakota Century Code, relating to the autism spectrum disorder task force.

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

**SECTION 1.** A new section to chapter 1-03 of the North Dakota Century Code is created and enacted as follows:

**Fetal alcohol spectrum disorder awareness day.**

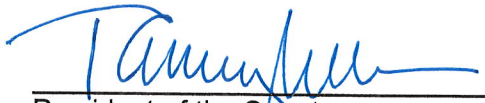
To celebrate the life of all affected by fetal alcohol spectrum disorder, reaffirm the dignity and value of every human being, and to create awareness of the number of people affected by the disorder, the ninth day of September of each year is designated and established as fetal alcohol spectrum disorder awareness day for the state of North Dakota.

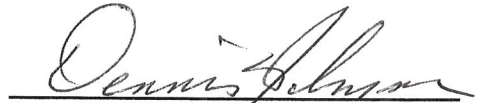
**SECTION 2. AMENDMENT.** Subsection 3 of section 25-01.2-01 of the North Dakota Century Code is amended and reenacted as follows:


3. "Developmental disability" means a severe, chronic disability of an individual which:
  - a. Is attributable to a mental or physical impairment or combination of mental and physical impairments, including Down syndrome and fetal alcohol spectrum disorders, including fetal alcohol syndrome, partial fetal alcohol syndrome, and alcohol-related neurodevelopmental disorder;
  - b. Is manifested before the individual attains age twenty-two;
  - c. Is likely to continue indefinitely;
  - d. Results in substantial functional limitations in three or more of the following areas of major life activity:
    - (1) Self-care;
    - (2) Receptive and expressive language;
    - (3) Learning;
    - (4) Mobility;
    - (5) Self-direction;
    - (6) Capacity for independent living; and
    - (7) Economic sufficiency; and

- e. Reflects the individual's needs for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated.

**SECTION 3. REPEAL.** Section 50-06-32 of the North Dakota Century Code is repealed.

  
President of the Senate

  
Speaker of the House


  
Secretary of the Senate

  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2335.

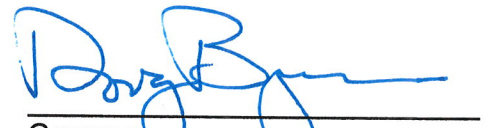
Senate Vote:    Yeas 46            Nays 1            Absent 0

House Vote:    Yeas 87            Nays 3            Absent 4

  
Secretary of the Senate

Received by the Governor at 2:51 PM. on April 27, 2023.

Approved at 6:19 PM. on May 4, 2023.

  
Governor

Filed in this office this 5 day of May, 2023,

at 10:31 o'clock A M.

  
Secretary of State