

**CHAPTER 37-05**  
**PROPERTY AND DISBURSING OFFICER**

**37-05-01. Property and disbursing officer - Qualifications - Appointment - Bond - Compensation.**

The governor shall appoint, designate, or detail, subject to the approval of the secretary of defense, an officer of the national guard of this state, who is the accountable property and disbursing officer of the United States and shall perform the duties of such office in addition to any other duties which the officer may be required to perform. Before entering upon the performance of the officer's duties as property and disbursing officer, the officer shall give a good and sufficient bond to the United States, in such amount as the secretary of defense may require, conditioned for the faithful performance of the officer's duties and the safekeeping and proper disbursing of the federal property and funds entrusted to the officer's care. After having qualified as property and disbursing officer, the officer shall receive pay for the officer's services at a rate to be fixed by the secretary of defense.

**37-05-02. Secretary of defense to pay allotment to property and disbursing officer - Amount.**

Upon requisition by the governor, the secretary of defense may pay to the property and disbursing officer so much of this state's allotment out of the annual appropriation for the support of the national guard of this state as in the judgment of the secretary of defense may be necessary.

**37-05-03. Accounts, returns, and reports made by property and disbursing officer.**

The property and disbursing officer shall render through the defense department such accounts of federal funds entrusted to that officer for disbursement as may be required by the treasury department of the United States. The property and disbursing officer shall receipt and be accountable for all funds and property belonging to the United States in possession of this state and shall make such returns and reports concerning the same as may be required by the secretary of defense.

**37-05-04. Property and disbursing officer may entrust money to other officers - Liability - Penalty for misconduct.**

Under such regulations as may be prescribed by the secretary of defense, the property and disbursing officer accountable for public moneys may entrust money to any other officer of the national guard for the purpose of having that officer make disbursements thereof as the property and disbursing officer's agent, and each officer to whom money is so entrusted, as well as the officer entrusting the same to that officer, must be held pecuniarily responsible therefor to the United States. For the agent officer's official misconduct, the agent officer is subject to all the liabilities and penalties prescribed by law in like cases for the officer for whom the agent officer acts as agent.