

FISCAL NOTE
Requested by Legislative Council
01/07/2019

Bill/Resolution No.: HB 1217

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2017-2019 Biennium		2019-2021 Biennium		2021-2023 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2017-2019 Biennium	2019-2021 Biennium	2021-2023 Biennium
Counties	\$0	\$0	\$0
Cities	\$0	\$0	\$0
School Districts	\$0	\$0	\$0
Townships	\$0	\$0	\$0

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

HB 1217 enacts a new section to N.D.C.C. Chapter 49-02 requiring the Commission, upon petition, to determine if government is in competition with private industry.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The fiscal impacts of HB 1217 are unknown due to the Commission's inability to determine prospectively if and how often the new section may be used, and what the results might be. Subsection 2 of Section 1 of the bill could have fiscal impact because, in order to meet legal and due process requirements for processing a case, the Commission would incur costs. These could include publication costs and the costs of hearing officers and attorneys. Also, if the commission finds an agency or institution is in competition with private business and directs the agency or institution to cease the activity, that agency or institution could be impacted fiscally. If this section is used extensively, there may be a large fiscal impact. Subsection 6 of Section one of the bill could also have fiscal impact on any agency or institution the commission permits to continue in competition with private business, if the commission assesses a fee for that activity.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

There is no expected fiscal impact on revenues.

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The impact on expenditures is unknown. To the extent that the new section is used will determine the fiscal impact on expenditures, both for the commission and for other agencies and institutions. See response to 2B, above.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The impact on appropriations is unknown. See responses above.

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