

Sixty-ninth
Legislative Assembly
of North Dakota

**FIRST ENGROSSMENT
with House Amendments**

ENGROSSED SENATE BILL NO. 2002

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch;
2 to create and enact a new subsection to section 54-06-08.2 of the North Dakota Century Code,
3 relating to credit and debit card fees; to amend and reenact sections 27-02-02 and 27-05-03 of
4 the North Dakota Century Code, relating to the salaries of justices of the supreme court and
5 salaries of district court judges; to provide for transfers; to provide for a report; and to provide an
6 exemption.

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

8 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
9 as may be necessary, are appropriated out of any moneys in the general fund in the state
10 treasury, not otherwise appropriated, and from other funds derived from special funds and
11 federal funds, to the judicial branch for the purpose of defraying the expenses of the judicial
12 branch, for the biennium beginning July 1, 2025, and ending June 30, 2027, as follows:

13 Subdivision 1.

SUPREME COURT			
		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
17 Salaries and wages	\$12,363,778	\$1,488,083	\$13,851,861
18 New and vacant FTE pool	8,740,214	203,936	8,944,150
19 Operating expenses	2,915,259	219,534	3,134,793
20 Capital assets	<u>0</u>	<u>866,100</u>	<u>866,100</u>
21 Total all funds	\$24,019,251	\$2,777,653	\$26,796,904

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1	Less other funds	<u>97,793</u>	<u>(53,664)</u>	<u>44,129</u>
2	Total general fund	\$23,921,458	\$2,831,317	\$26,752,775
3	Subdivision 2.			
4	DISTRICT COURTS			
5			Adjustments or	
6		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
7	Salaries and wages	\$79,576,340	\$13,235,292	\$92,811,632
8	Operating expenses	24,524,619	3,767,875	28,292,494
9	Capital assets	0	5,528,916	5,528,916
10	Judges' retirement	<u>177,340</u>	<u>(13,666)</u>	<u>163,674</u>
11	Total all funds	\$104,278,299	\$22,518,417	\$126,796,716
12	Less other funds	<u>830,318</u>	<u>4,643,380</u>	<u>5,473,698</u>
13	Total general fund	\$103,447,981	\$17,875,037	\$121,323,018
14	Subdivision 3.			
15	JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD			
16			Adjustments or	
17		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
18	Judicial conduct commission and	<u>\$1,399,862</u>	<u>\$191,985</u>	<u>\$1,591,847</u>
19	disciplinary board			
20	Total all funds	\$1,399,862	\$191,985	\$1,591,847
21	Less other funds	<u>512,317</u>	<u>7,860</u>	<u>520,177</u>
22	Total general fund	\$887,545	\$184,125	\$1,071,670
23	Subdivision 4.			
24	Office of Guardianship and Conservatorship			
25			Adjustments or	
26		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
27	Office of guardianship and conservatorship	<u>\$0</u>	<u>\$936,405</u>	<u>\$936,405</u>
28	Total general fund	\$0	\$936,405	\$936,405
29	Subdivision 5.			
30	TOTAL - SECTION 1			

1			Adjustments or	
2		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
3	Grand total all funds	\$129,697,412	\$26,424,460	\$156,121,872
4	Grand total other funds	<u>1,440,428</u>	<u>4,597,576</u>	<u>6,038,004</u>
5	Grand total general fund	\$128,256,984	\$21,826,884	\$150,083,868
6	Full-time equivalent positions	384.00	14.00	398.00

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE SEVENTIETH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items included in the appropriation in section 1 of this Act which are not included in the entity's base budget for the 2027-29 biennium and which the entity shall report to the appropriations committees of the seventieth legislative assembly regarding the use of this funding:

<u>One-Time Funding Description</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total Funds</u>
Information technology equipment	\$874,216	\$0	\$874,216
lease			
Case management software cloud	0	758,000	758,000
migration			
Clerk filing software	0	1,250,000	1,250,000
Court records access system	0	960,000	960,000
Cloud-based storage fees	866,100	0	866,100
Courtroom audio and video equipment	0	1,586,700	1,586,700
Cass County courtroom equipment	<u>0</u>	<u>100,000</u>	<u>100,000</u>
Total	\$1,740,316	\$4,654,700	\$6,395,016

SECTION 3. NEW AND VACANT FTE POOL - BUDGET SECTION REPORT.

1. The supreme court may not spend funding from the new and vacant FTE funding pool line item in subdivision 1 of section 1 of this Act, but may transfer funds from this line item to the salaries and wages line items within subdivisions 1 and 2 of this Act, to the guardianship and conservatorship line item within subdivision 1 of this Act, and to the judicial conduct commission and disciplinary board line item within subdivision 3 of this Act, as necessary to provide funding for:
 - a. Filling a new position from the date of hire through the end of the biennium; or

- 1 b. Salaries and wages if actual salaries and wages savings from vacant positions
2 and employee turnover, adjusted for other uses, are less than the estimate used
3 by the sixty-ninth legislative assembly in the development of the appropriation.
- 4 2. The supreme court shall report to the budget section regarding the use of funding in
5 the pool, including information on:
- 6 a. New FTE positions, including the date hired;
- 7 b. Vacant FTE positions, including information regarding positions that become
8 vacant and positions filled, salaries and wages savings resulting from vacant
9 positions and employee turnover, and the use of salaries and wages savings for
10 other purposes; and
- 11 c. Additional salaries and wages funding needed due to savings from vacant
12 positions being less than anticipated.
- 13 3. If funding in the new and vacant FTE pool line item is insufficient to provide the
14 necessary salaries and wages funding for the biennium, the supreme court may
15 request a deficiency appropriation from the seventieth legislative assembly.

16 **SECTION 4. APPROPRIATION.** There are appropriated any funds received by the supreme
17 court, district courts, and judicial conduct commission and disciplinary board, not otherwise
18 appropriated, pursuant to federal acts and private gifts, grants, and donations for the purpose
19 as designated in the federal acts or private gifts, grants, and donations for the period beginning
20 July 1, 2025, and ending June 30, 2027.

21 **SECTION 5. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**

22 The grand total other funds line item in section 1 of this Act includes the sum of \$4,654,700 from
23 the strategic investment and improvements fund for one-time projects and programs as follows:

24 Case management software cloud migration	\$758,000
25 Clerk filing software	1,250,000
26 Court records access system	960,000
27 Courtroom audio and video equipment	1,586,700
28 Cass County courtroom equipment	<u>100,000</u>
29 Total	\$4,654,700

30 **SECTION 6. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is
31 amended and reenacted as follows:

1 **27-02-02. Salaries of justices of supreme court.**

2 The annual salary of each justice of the supreme court is ~~one hundred seventy-nine~~
3 ~~thousand three hundred twelve dollars through June 30, 2024, and one hundred eighty-six~~
4 ~~thousand four hundred eighty-four dollars thereafter~~two hundred seven thousand two hundred
5 forty-nine dollars. The chief justice of the supreme court is entitled to receive an additional ~~five-~~
6 ~~thousand seventy-one dollars per annum through June 30, 2024, and five thousand two-~~
7 ~~hundred seventy-four~~seven thousand six hundred forty-seven dollars per annum thereafter.

8 **SECTION 7. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **27-05-03. Salaries and expenses of district judges.**

11 The annual salary of each district judge is ~~one hundred sixty-four thousand five hundred-~~
12 ~~thirty-two dollars through June 30, 2024, and one hundred seventy-one thousand one hundred-~~
13 ~~thirteen dollars thereafter~~one hundred eighty-four thousand three hundred sixty-six dollars.
14 Each district judge is entitled to travel expenses, including mileage and subsistence while
15 engaged in the discharge of official duties outside the city in which the judge's chambers are
16 located. The salary and expenses are payable monthly in the manner provided by law. A
17 presiding judge of a judicial district is entitled to receive an additional ~~four thousand six hundred-~~
18 ~~seventy-five~~five thousand one hundred sixty-two dollars per annum ~~through June 30, 2024, and~~
19 ~~four thousand eight hundred sixty-two dollars thereafter~~.

20 **SECTION 8.** A new subsection to section 54-06-08.2 of the North Dakota Century Code is
21 created and enacted as follows:

22 The judicial branch may charge a reasonable fee not exceeding the discount charged
23 by the credit or debit card issuer. The fee may be added to a payment as a service
24 charge for the acceptance of a payment made by a credit or debit card. The state
25 court administrator shall determine which nationally recognized cards will be accepted
26 for payments made to the judicial branch under this section.

27 **SECTION 9. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director
28 of the office of management and budget shall transfer appropriation authority between line items
29 in section 1 of this Act, as requested by the supreme court upon a finding by the court that the
30 nature of the duties of the court and its staff requires the transfers to carry on properly the
31 functions of the judicial branch of government.