

Sixty-ninth  
Legislative Assembly  
of North Dakota

**FIRST ENGROSSMENT  
with House Amendments**

**ENGROSSED SENATE BILL NO. 2323**

Introduced by

Senators Bekkedahl, Sorvaag, Hogue

Representatives Lefor, Brandenburg, Richter

1 A BILL for an Act to amend and reenact sections 57-51-15 and 57-51.1-07.5 of the North  
2 Dakota Century Code, relating to oil and gas gross production tax allocations and the state  
3 share of oil and gas tax allocations; to provide for a legislative management report; to provide  
4 an exemption; and to provide an effective date.

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

6 **SECTION 1. AMENDMENT.** Section 57-51-15 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **57-51-15. Gross production tax allocation - Report. (~~Effective through June 30, 2027~~)**

9 ~~The gross production tax must be allocated monthly as follows:~~

- 10 ~~1. The tax revenue collected under this chapter equal to one percent of the gross value~~  
11 ~~at the well of the oil and one-fifth of the tax on gas must be deposited with the state~~  
12 ~~treasurer. The state treasurer shall allocate the funding in the following order:~~
- 13 ~~a. Eight percent of the amount available under this subsection to the North Dakota~~  
14 ~~outdoor heritage fund, but not in an amount exceeding twenty million dollars per~~  
15 ~~fiscal year.~~
- 16 ~~b. Four percent of the amount available under this subsection to the abandoned oil~~  
17 ~~and gas well plugging and site reclamation fund, but not in an amount exceeding~~  
18 ~~seven million five hundred thousand dollars per fiscal year and not in an amount~~  
19 ~~that would bring the balance in the fund to more than one hundred million~~  
20 ~~dollars.~~
- 21 ~~c. Any remaining revenues pursuant to subsection 3.~~

d. For purposes of this subsection, "fiscal year" means the period beginning September first and ending August thirty-first of the following calendar year.

2. The tax revenue collected under this chapter equal to four percent of the gross value at the well of the oil and four-fifths of the tax on gas must be deposited with the state treasurer. The state treasurer shall allocate the funding in the following order:

a. The first five million dollars of collections received from a county each fiscal year is allocated to the county.

b. The remaining revenue collections received from a county each fiscal year are allocated thirty percent to the county and seventy percent as follows:

(1) Monthly amounts to the hub city funding pool to provide fifteen million four hundred thousand dollars per fiscal year for the allocations under paragraph 2 of subdivision a of subsection 5.

(2) Monthly amounts to the hub city school district funding pool to provide two million one hundred thousand dollars per fiscal year for the allocations under paragraph 3 of subdivision a of subsection 5.

(3) Monthly amounts to the supplemental school district funding pool to provide seventy percent of the total amount needed for the allocations under paragraph 4 of subdivision a of subsection 5.

(4) Any remaining revenue collections to the state for the state's allocations pursuant to subsection 3.

e. For purposes of this subsection, "fiscal year" means the period beginning September first and ending August thirty-first of the following calendar year.

3. After the allocations under subsections 1 and 2, the amount remaining is allocated first to provide for deposit of thirty percent of all revenue collected under this chapter in the legacy fund as provided in section 26 of article X of the Constitution of North Dakota and the remainder must be allocated to the state general fund. If the amount available for a monthly allocation under this subsection is insufficient to deposit thirty percent of all revenue collected under this chapter in the legacy fund, the state treasurer shall transfer the amount of the shortfall from the state general fund share of oil extraction tax collections and deposit that amount in the legacy fund.

- 1       4.   ~~For a county that received less than five million dollars of allocations under~~  
2       ~~subsection 2 in the most recently completed even-numbered fiscal year before the~~  
3       ~~start of the biennium, revenues allocated to that county must be distributed by the~~  
4       ~~state treasurer as follows:~~
- 5       a.   ~~Forty-five percent must be distributed to the county treasurer and credited to the~~  
6       ~~county general fund.~~
- 7       b.   ~~Thirty-five percent must be distributed proportionally to school districts within the~~  
8       ~~county on the average daily attendance distribution basis for kindergarten-~~  
9       ~~through grade twelve students residing within the county, as certified to the state~~  
10      ~~treasurer by the county superintendent of schools. However, a hub city school~~  
11      ~~district must be omitted from distributions under this subdivision.~~
- 12      c.   ~~Twenty percent must be distributed to the incorporated cities of the county. A hub-~~  
13      ~~city must be omitted from distributions under this subdivision. Distributions~~  
14      ~~among cities under this subsection must be proportional based upon the~~  
15      ~~population of each incorporated city according to the last official decennial federal~~  
16      ~~census. In determining the population of any city in which total employment~~  
17      ~~increases by more than two hundred percent seasonally due to tourism, the~~  
18      ~~population of that city for purposes of this subdivision must be increased by eight~~  
19      ~~hundred percent.~~
- 20      d.   ~~For purposes of this subsection, "fiscal year" means the period beginning~~  
21      ~~September first and ending August thirty-first of the following calendar year.~~
- 22      5.   ~~For a county that received five million dollars or more of allocations under subsection 2-~~  
23      ~~in the most recently completed even-numbered fiscal year before the start of the~~  
24      ~~biennium, revenues allocated to that county must be distributed by the state treasurer~~  
25      ~~as follows:~~
- 26      a.   ~~A portion of the revenues from each county must be distributed to a hub city~~  
27      ~~funding pool, a hub city school district funding pool, and a supplemental school~~  
28      ~~district funding pool as follows:~~
- 29          (1)   ~~The amount distributed from each county to the funding pools under this~~  
30          ~~subdivision must be proportional to each county's monthly oil and gas gross~~  
31          ~~production tax revenue collections relative to the combined total monthly oil~~

and gas gross production tax revenue collections from all the counties that receive allocations under this subsection.

(2) The state treasurer shall distribute, to the hub city funding pool, the monthly amount needed from each county to provide six million six hundred thousand dollars per fiscal year for the allocations under this paragraph.

(a) The state treasurer shall allocate monthly amounts from the hub city funding pool to provide a combined total of twenty-two million dollars per fiscal year to all the hub cities, which includes the fifteen million four hundred thousand dollars under paragraph 1 of subdivision b of subsection 2 and the six million six hundred thousand dollars under this paragraph. The monthly allocation to each hub city must be proportional to each hub city's impact percentage score, including fractional percentage points rounded to the nearest tenth of a percent, relative to the combined total of all the hub cities' impact percentage scores.

(b) The state treasurer shall calculate the impact percentage score for each hub city by summing the following:

[1] The percentage of mining, quarrying, and oil and gas extraction employment relative to the total employment of all industries in the county in which the hub city is located, based on the most recent annual data for all ownership types compiled by job service North Dakota in the quarterly census of employment and wages, multiplied by forty-five hundredths;

[2] The average of the percentage of mining, quarrying, and oil and gas extraction employment relative to the total employment of all industries in each county for all the counties in the human service region in which the hub city is located, based on the most recent annual data for all ownership types compiled by job service North Dakota in the quarterly census of employment and wages, multiplied by fifteen hundredths;

- [3] ~~The percentage of establishments engaged in mining, quarrying, and oil and gas extraction relative to the total establishments of all industries in the county in which the hub city is located, based on the most recent annual data for all ownership types compiled by job service North Dakota in the quarterly census of employment and wages, multiplied by one-tenth;~~
- [4] ~~The percentage of oil production in the human service region in which the hub city is located relative to the total oil production in all the human service regions with hub cities, based on the most recently available calendar year data compiled by the industrial commission in a report on the historical barrels of oil produced by county, multiplied by one-tenth;~~
- [5] ~~The percentage change in population from five years prior for the hub city, based on the most recent actual or estimated census data published by the United States census bureau, multiplied by one-tenth; and~~
- [6] ~~The percentage change in population from five years prior for the county in which the hub city is located, based on the most recent actual or estimated census data published by the United States census bureau, multiplied by one-tenth.~~
- (e) ~~For purposes of this paragraph, "human service region" means the areas designated by the governor's executive order 1978-12 dated October 5, 1978.~~
- (3) ~~The state treasurer shall distribute, to the hub city school district funding pool, the monthly amount needed from each county to provide nine hundred thousand dollars per fiscal year for the allocations under this paragraph.~~
- (a) ~~The state treasurer shall allocate monthly amounts from the hub city school district funding pool to provide a combined total of three million dollars per fiscal year to all the hub city school districts, which includes the two million one hundred thousand dollars under paragraph 2 of subdivision b of subsection 2 and the nine hundred~~

thousand dollars under this paragraph. The monthly allocation to each hub city school districts must be proportional to each hub city school district's impact percentage score, including fractional percentage points rounded to the nearest tenth of a percent, relative to the combined total of all the hub cities' impact percentage scores.

(b) For the purpose of determining the impact percentage score for each hub city school district, the state treasurer shall use the same impact percentage score as the corresponding score calculated for each hub city in paragraph 2.

(4) The state treasurer shall distribute, to the supplemental school district funding pool, the monthly amount needed from each county to provide for thirty percent of the total allocations under this paragraph. To each county that received more than five million dollars but less than thirty million dollars of total allocations under subsection 2 in the most recently completed even-numbered fiscal year before the start of the biennium, the state treasurer shall allocate a monthly amount from the supplemental school district funding pool which will be added to the distributions to school districts under paragraph 2 of subdivision b, as follows:

(a) To each county that received more than five million dollars but not exceeding ten million dollars of total allocations under subsection 2 in the most recently completed even-numbered fiscal year before the start of the biennium, the state treasurer shall allocate a monthly amount that will provide a total allocation of one million five hundred thousand dollars per fiscal year. The allocation must be distributed to school districts within the county pursuant to paragraph 2 of subdivision b.

(b) To each county that received more than ten million dollars but not exceeding fifteen million dollars of total allocations under subsection 2 in the most recently completed even-numbered fiscal year before the start of the biennium, the state treasurer shall allocate a monthly amount that will provide a total allocation of one million two hundred

- 1                   fifty thousand dollars per fiscal year. The allocation must be distributed  
2                   to school districts within the county pursuant to paragraph 2 of  
3                   subdivision b.
- 4                   (c) To each county that received more than fifteen million dollars but not  
5                   exceeding twenty million dollars of total allocations under subsection 2  
6                   in the most recently completed even-numbered fiscal year before the  
7                   start of the biennium, the state treasurer shall allocate a monthly  
8                   amount that will provide a total allocation of one million dollars per  
9                   fiscal year. The allocation must be distributed to school districts within  
10                  the county pursuant to paragraph 2 of subdivision b.
- 11                  (d) To each county that received more than twenty million dollars but not  
12                  exceeding twenty-five million dollars of total allocations under  
13                  subsection 2 in the most recently completed even-numbered fiscal  
14                  year before the start of the biennium, the state treasurer shall allocate  
15                  a monthly amount that will provide a total allocation of seven hundred  
16                  fifty thousand dollars per fiscal year. The allocation must be distributed  
17                  to school districts within the county pursuant to paragraph 2 of  
18                  subdivision b.
- 19                  (e) To each county that received more than twenty-five million dollars but  
20                  not exceeding thirty million dollars of total allocations under  
21                  subsection 2 in the most recently completed even-numbered fiscal  
22                  year before the start of the biennium, the state treasurer shall allocate  
23                  a monthly amount that will provide a total allocation of five hundred  
24                  thousand dollars per fiscal year. The allocation must be distributed to  
25                  school districts within the county pursuant to paragraph 2 of  
26                  subdivision b.
- 27                  b. After the distributions in subdivision a, each county's remaining revenues must be  
28                  distributed as follows:
- 29                  (1) Sixty percent must be distributed to the county treasurer and credited to the  
30                  county general fund.

- (2) Five percent must be distributed proportionally to school districts within the county on the average daily attendance distribution basis for kindergarten through grade twelve students residing within the county, as certified to the state treasurer by the county superintendent of schools. However, a hub city school district must be omitted from distributions under this subdivision.
- (3) Twenty percent must be distributed to the incorporated cities of the county. A hub city must be omitted from distributions under this subdivision. Distributions among cities under this subsection must be proportional based upon the population of each incorporated city according to the last official decennial federal census. In determining the population of any city in which total employment increases by more than two hundred percent seasonally due to tourism, the population of that city for purposes of this subdivision must be increased by eight hundred percent.
- (4) Four percent must be allocated among the organized and unorganized townships of the county. The state treasurer shall allocate the funds available under this subdivision among townships in proportion to each township's road miles relative to the total township road miles in the county. The amount allocated to unorganized townships under this subdivision must be distributed to the county treasurer and credited to a special fund for unorganized township roads, which the board of county commissioners shall use for the maintenance and improvement of roads in unorganized townships.
- (5) Nine percent must be distributed among hub cities. The state treasurer shall distribute the funds available under this subdivision in proportion to the amounts the hub cities receive under paragraph 2 of subdivision a.
- (6) Two percent must be distributed among hub city school districts. The state treasurer shall distribute the funds available under this subdivision in proportion to the amounts the hub city school districts receive under paragraph 3 of subdivision a.
- (7) For purposes of this subsection, "fiscal year" means the period beginning September first and ending August thirty-first of the following calendar year.



1        **Gross production tax allocation. (Effective after June 30, 2027)** The gross production  
2 tax must be allocated monthly as follows:

3        1. The tax revenue collected under this chapter equal to one percent of the gross value  
4 at the well of the oil and one-fifth of the tax on gas must be deposited with the state  
5 treasurer. The state treasurer shall allocate the funding in the following order:

6            a. Eight percent of the amount available under this subsection to the North Dakota  
7 outdoor heritage fund, but not in an amount exceeding twenty million dollars per  
8 fiscal year.

9            b. Four percent of the amount available under this subsection to the abandoned oil  
10 and gas well plugging and site reclamation fund, but not in an amount exceeding  
11 seven million five hundred thousand dollars per fiscal year and not in an amount  
12 that would bring the balance in the fund to more than fifty million one hundred  
13 million dollars through June 30, 2027, or to more than fifty million dollars after  
14 June 30, 2027.

15            c. Any remaining revenues pursuant to subsection 3.

16            d. For purposes of this subsection, "fiscal year" means the period beginning  
17 September first and ending August thirty-first of the following calendar year.

18        2. The tax revenue collected under this chapter equal to four percent of the gross value  
19 at the well of the oil and four-fifths of the tax on gas must be deposited with the state  
20 treasurer. The state treasurer shall allocate the funding in the following order:

21            a. The first five million dollars of collections received from a county each fiscal year  
22 is allocated to the county.

23            b. The remaining revenue collections received from a county each fiscal year are  
24 allocated thirty percent to the county and seventy percent as follows:

25            (1) Monthly amounts to the hub city funding pool to provide fifteen million four  
26 hundred thousand dollars per fiscal year for the allocations under  
27 paragraph 2 of subdivision a of subsection 5.

28            (2) Monthly amounts to the hub city school district funding pool to provide two  
29 million one hundred thousand dollars per fiscal year for the allocations  
30 under paragraph 3 of subdivision a of subsection 5.

(3) Monthly amounts to the supplemental school district funding pool to provide seventy percent of the total amount needed for the allocations under paragraph 4 of subdivision a of subsection 5.

(4) Monthly amounts to the hub city debt relief funding pool to provide seven million three hundred fifty thousand dollars per fiscal year for the allocations under paragraph 2 of subdivision a of subsection 5.

(5) Any remaining revenue collections to the state for the state's allocations pursuant to subsection 3.

c. For purposes of this subsection, "fiscal year" means the period beginning September first and ending August thirty-first of the following calendar year.

3. After the allocations under subsections 1 and 2, the amount remaining is allocated first to provide for deposit of thirty percent of all revenue collected under this chapter in the legacy fund as provided in section 26 of article X of the Constitution of North Dakota and the remainder must be allocated to the state general fund. If the amount available for a monthly allocation under this subsection is insufficient to deposit thirty percent of all revenue collected under this chapter in the legacy fund, the state treasurer shall transfer the amount of the shortfall from the state general fund share of oil extraction tax collections and deposit that amount in the legacy fund.

4. For a county that received less than five million dollars of allocations under subsection 2 in the most recently completed even-numbered fiscal year before the start of the biennium, revenues allocated to that county must be distributed by the state treasurer as follows:

a. Forty-five percent must be distributed to the county treasurer and credited to the county general fund.

b. Thirty-five percent must be distributed proportionally to school districts within the county on the average daily attendance distribution basis for kindergarten through grade twelve students residing within the county, as certified to the state treasurer by the county superintendent of schools. However, a hub city school district must be omitted from distributions under this subdivision.

c. Twenty percent must be distributed to the incorporated cities of the county. A hub city must be omitted from distributions under this subdivision. Distributions

among cities under this subsection must be proportional based upon the population of each incorporated city according to the last official decennial federal census. In determining the population of any city in which total employment increases by more than two hundred percent seasonally due to tourism, the population of that city for purposes of this subdivision must be increased by eight hundred percent.

d. For purposes of this subsection, "fiscal year" means the period beginning September first and ending August thirty-first of the following calendar year.

5. For a county that received five million dollars or more of allocations under subsection 2 in the most recently completed even-numbered fiscal year before the start of the biennium, revenues allocated to that county must be distributed by the state treasurer as follows:

a. A portion of the revenues from each county must be distributed to a hub city funding pool, a hub city school district funding pool, ~~and~~ a supplemental school district funding pool, and a hub city debt relief funding pool as follows:

(1) The amount distributed from each county to the funding pools under this subdivision must be proportional to each county's monthly oil and gas gross production tax revenue collections relative to the combined total monthly oil and gas gross production tax revenue collections from all the counties that receive allocations under this subsection.

(2) The state treasurer shall distribute, to the hub city funding pool, the monthly amount needed from each county to provide six million six hundred thousand dollars per fiscal year for the allocations under this paragraph.

(a) The state treasurer shall allocate monthly amounts from the hub city funding pool to provide a combined total of twenty-two million dollars per fiscal year to all the hub cities, which includes the fifteen million four hundred thousand dollars under paragraph 1 of subdivision b of subsection 2 and the six million six hundred thousand dollars under this paragraph. The monthly allocation to each hub city must be proportional to each hub city's impact percentage score, including fractional percentage points rounded to the nearest tenth of a percent,

relative to the combined total of all the hub cities' impact percentage scores.

(b) The state treasurer shall calculate the impact percentage score for each hub city by summing the following:

- [1] The percentage of mining, quarrying, and oil and gas extraction employment relative to the total employment of all industries in the county in which the hub city is located, based on the most recent annual data for all ownership types compiled by job service North Dakota in the quarterly census of employment and wages, multiplied by forty-five hundredths;
- [2] The average of the percentage of mining, quarrying, and oil and gas extraction employment relative to the total employment of all industries in each county for all the counties in the human service region in which the hub city is located, based on the most recent annual data for all ownership types compiled by job service North Dakota in the quarterly census of employment and wages, multiplied by fifteen hundredths;
- [3] The percentage of establishments engaged in mining, quarrying, and oil and gas extraction relative to the total establishments of all industries in the county in which the hub city is located, based on the most recent annual data for all ownership types compiled by job service North Dakota in the quarterly census of employment and wages, multiplied by one-tenth;
- [4] The percentage of oil production in the human service region in which the hub city is located relative to the total oil production in all the human service regions with hub cities, based on the most recently available calendar year data compiled by the industrial commission in a report on the historical barrels of oil produced by county, multiplied by one-tenth;
- [5] The percentage change in population from five years prior for the hub city, based on the most recent actual or estimated census

data published by the United States census bureau, multiplied by one-tenth; and

[6] The percentage change in population from five years prior for the county in which the hub city is located, based on the most recent actual or estimated census data published by the United States census bureau, multiplied by one-tenth.

(c) For purposes of this paragraph, "human service region" means the areas designated by the governor's executive order 1978-12 dated October 5, 1978.

(3) The state treasurer shall distribute, to the hub city school district funding pool, the monthly amount needed from each county to provide nine hundred thousand dollars per fiscal year for the allocations under this paragraph.

(a) The state treasurer shall allocate monthly amounts from the hub city school district funding pool to provide a combined total of three million dollars per fiscal year to all the hub city school districts, which includes the two million one hundred thousand dollars under paragraph 2 of subdivision b of subsection 2 and the nine hundred thousand dollars under this paragraph. The monthly allocation to each hub city school districts must be proportional to each hub city school district's impact percentage score, including fractional percentage points rounded to the nearest tenth of a percent, relative to the combined total of all the hub cities' impact percentage scores.

(b) For the purpose of determining the impact percentage score for each hub city school district, the state treasurer shall use the same impact percentage score as the corresponding score calculated for each hub city in paragraph 2.

(4) The state treasurer shall distribute, to the supplemental school district funding pool, the monthly amount needed from each county to provide for thirty percent of the total allocations under this paragraph. To each county that received more than five million dollars but less than thirty million dollars of total allocations under subsection 2 in the most recently completed

1 even-numbered fiscal year before the start of the biennium, the state  
2 treasurer shall allocate a monthly amount from the supplemental school  
3 district funding pool which will be added to the distributions to school  
4 districts under paragraph 2 of subdivision b, as follows:

- 5 (a) To each county that received more than five million dollars but not  
6 exceeding ten million dollars of total allocations under subsection 2 in  
7 the most recently completed even-numbered fiscal year before the  
8 start of the biennium, the state treasurer shall allocate a monthly  
9 amount that will provide a total allocation of one million five hundred  
10 thousand dollars per fiscal year. The allocation must be distributed to  
11 school districts within the county pursuant to paragraph 2 of  
12 subdivision b.
- 13 (b) To each county that received more than ten million dollars but not  
14 exceeding fifteen million dollars of total allocations under subsection 2  
15 in the most recently completed even-numbered fiscal year before the  
16 start of the biennium, the state treasurer shall allocate a monthly  
17 amount that will provide a total allocation of one million two hundred  
18 fifty thousand dollars per fiscal year. The allocation must be distributed  
19 to school districts within the county pursuant to paragraph 2 of  
20 subdivision b.
- 21 (c) To each county that received more than fifteen million dollars but not  
22 exceeding twenty million dollars of total allocations under subsection 2  
23 in the most recently completed even-numbered fiscal year before the  
24 start of the biennium, the state treasurer shall allocate a monthly  
25 amount that will provide a total allocation of one million dollars per  
26 fiscal year. The allocation must be distributed to school districts within  
27 the county pursuant to paragraph 2 of subdivision b.
- 28 (d) To each county that received more than twenty million dollars but not  
29 exceeding twenty-five million dollars of total allocations under  
30 subsection 2 in the most recently completed even-numbered fiscal  
31 year before the start of the biennium, the state treasurer shall allocate

1 a monthly amount that will provide a total allocation of seven hundred  
2 fifty thousand dollars per fiscal year. The allocation must be distributed  
3 to school districts within the county pursuant to paragraph 2 of  
4 subdivision b.

5 (e) To each county that received more than twenty-five million dollars but  
6 not exceeding thirty million dollars of total allocations under  
7 subsection 2 in the most recently completed even-numbered fiscal  
8 year before the start of the biennium, the state treasurer shall allocate  
9 a monthly amount that will provide a total allocation of five hundred  
10 thousand dollars per fiscal year. The allocation must be distributed to  
11 school districts within the county pursuant to paragraph 2 of  
12 subdivision b.

13 (5) The state treasurer shall distribute, to the hub city debt relief funding pool,  
14 the monthly amount needed from each county to provide three million one  
15 hundred fifty thousand dollars per fiscal year for the allocations under this  
16 paragraph. At least once per interim, each hub city shall provide a report to  
17 the budget section regarding the use of the funding received under this  
18 section and information on the hub city's outstanding debt, including  
19 maturity dates, interest rates, and annual repayment amounts.

20 (a) The state treasurer shall allocate monthly amounts from the hub city  
21 debt relief funding pool to provide a combined total of ten million five  
22 hundred thousand dollars per fiscal year to all the hub cities, which  
23 includes the seven million three hundred fifty thousand dollars under  
24 paragraph 4 of subdivision b of subsection 2 and the three million one  
25 hundred fifty thousand dollars under this paragraph. The monthly  
26 allocation to hub cities under this paragraph is:

27 [1] Seventy and thirteen hundredths percent to Williston;

28 [2] Nineteen and ninety-four hundredths to Dickinson; and

29 [3] Nine and ninety-three hundredths to Minot.

30 (b) A hub city shall use the funding allocated under this paragraph for  
31 debt repayments related to debt incurred between July 1, 2012, and

December 31, 2025, to address impacts from oil and gas  
development.

b. After the distributions in subdivision a, each county's remaining revenues must be distributed as follows:

- (1) Sixty percent must be distributed to the county treasurer and credited to the county general fund.
- (2) Five percent must be distributed proportionally to school districts within the county on the average daily attendance distribution basis for kindergarten through grade twelve students residing within the county, as certified to the state treasurer by the county superintendent of schools. However, a hub city school district must be omitted from distributions under this subdivision.
- (3) Twenty percent must be distributed to the incorporated cities of the county. A hub city must be omitted from distributions under this subdivision. Distributions among cities under this subsection must be proportional based upon the population of each incorporated city according to the last official decennial federal census. In determining the population of any city in which total employment increases by more than two hundred percent seasonally due to tourism, the population of that city for purposes of this subdivision must be increased by eight hundred percent.
- (4) Four percent must be allocated among the organized and unorganized townships of the county. The state treasurer shall allocate the funds available under this subdivision among townships in proportion to each township's road miles relative to the total township road miles in the county. The amount allocated to unorganized townships under this subdivision must be distributed to the county treasurer and credited to a special fund for unorganized township roads, which the board of county commissioners shall use for the maintenance and improvement of roads in unorganized townships.
- (5) Nine percent must be distributed among hub cities. The state treasurer shall distribute the funds available under this subdivision in proportion to the amounts the hub cities receive under paragraph 2 of subdivision a.



(6) Two percent must be distributed among hub city school districts. The state treasurer shall distribute the funds available under this subdivision in proportion to the amounts the hub city school districts receive under paragraph 3 of subdivision a.

(7) For purposes of this subsection, "fiscal year" means the period beginning September first and ending August thirty-first of the following calendar year.

**SECTION 2. AMENDMENT.** Section 57-51.1-07.5 of the North Dakota Century Code is amended and reenacted as follows:

**57-51.1-07.5. State share of oil and gas taxes - Deposits.**

From the revenues designated for deposit in the state general fund under chapters 57-51 and 57-51.1, the state treasurer shall deposit the revenues received each biennium in the following order:

1. The first ~~two hundred thirty million~~ two hundred fifty million dollars into the state general fund;
2. The next two hundred fifty million dollars into the social service fund;
3. The next seventy-five million dollars into the budget stabilization fund, but not in an amount that would bring the balance in the fund to more than the limit in section 54-27.2-01;
4. The next ~~two hundred thirty million~~ two hundred fifty million dollars into the state general fund;
5. The next ten million dollars into the lignite research fund;
6. The next twenty million dollars into the state disaster relief fund, but not in an amount that would bring the unobligated balance in the fund to more than twenty million dollars;
7. The next ~~four hundred million~~ three hundred sixty million dollars into the strategic investment and improvements fund;
8. The next sixty-five million dollars to the public employees retirement fund for the main system plan;
9. The next fifty-nine million seven hundred fifty thousand dollars, or the amount necessary to provide for twice the amount of the distributions under subsection 2 of section 57-51.1-07.7, into the funds designated for infrastructure development in

- 1 non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty  
2 percent deposited into the municipal infrastructure fund and fifty percent deposited into  
3 the county and township infrastructure fund;
- 4 10. The next one hundred seventy million two hundred fifty thousand dollars or the amount  
5 necessary to provide a total of two hundred thirty million dollars into the funds  
6 designated for infrastructure development in non-oil-producing counties under sections  
7 57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal  
8 infrastructure fund and fifty percent deposited into the county and township  
9 infrastructure fund;
- 10 11. The next twenty million dollars into the airport infrastructure fund; and
- 11 12. Any additional revenues into the strategic investment and improvements fund.

12 **SECTION 3. EXEMPTION - OIL AND GAS TAX REVENUE ALLOCATIONS - NORTH**  
13 **DAKOTA OUTDOOR HERITAGE FUND - OIL AND GAS RESEARCH FUND.**

- 14 1. Notwithstanding the provisions of section 57-51-15 relating to the allocations to the  
15 North Dakota outdoor heritage fund, for the period beginning September 1, 2025, and  
16 ending August 31, 2027, the state treasurer shall allocate eight percent of the oil and  
17 gas gross production tax revenue available under subsection 1 of section 57-51-15 to  
18 the North Dakota outdoor heritage fund, but not in an amount exceeding \$7,500,000  
19 per fiscal year.
- 20 2. Notwithstanding the provisions of section 57-51.1-07.3 relating to the allocations to the  
21 oil and gas research fund, for the period beginning August 1, 2025, and ending  
22 July 31, 2027, the state treasurer shall allocate two percent of the oil and gas gross  
23 production tax and oil extraction tax revenues, up to \$17,500,000, into the oil and gas  
24 research fund before allocating oil and gas tax revenues under sections 57-51.1-07.5,  
25 57-51.1-07.9, and 57-51.1-07.10.

26 **SECTION 4. EFFECTIVE DATE.** Section 1 of this Act is effective for oil and gas gross  
27 production tax allocations by the state treasurer occurring after August 31, 2025.