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Prepared by the Legislative Council
staff for Senator Magrum
April 28, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

ENGROSSED SENATE BILL NO. 2015

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 corrections and rehabilitation; to provide for a report; to provide for a legislative management
3 study; and to provide an exemption.

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

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

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
13 Adult services	\$265,998,440	\$161,089,699	\$427,088,139
14 Youth services	26,853,221	9,480,420	36,333,641
15 New and vacant FTE pool	0	15,246,375	15,246,375
16 Total all funds	\$292,851,661	\$185,816,494	\$478,668,155
17 Less other funds	45,744,746	108,434,000	154,178,746
18 Total general fund	\$247,106,915	\$77,382,494	\$324,489,409
19 Full-time equivalent positions	929.79	51.00	980.79

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

6 <u>One-Time Funding Description</u>	7 <u>General Fund</u>	8 <u>Other Funds</u>	9 <u>Total</u>
10 Heart River correctional center	\$36,742	\$35,635,000	\$35,671,742
11 Missouri River correctional center	121,136	8,032,757	8,153,893
12 temporary housing unit			
13 Payments to county and regional jails	17,500,000	0	17,500,000
14 Deferred maintenance and extraordinary	0	15,000,000	15,000,000
15 repairs			
16 New FTE costs	40,000	0	40,000
17 James River correctional center study	0	750,000	750,000
18 Missouri River correctional center planning	0	20,000,000	20,000,000
19 and design			
20 Software systems and technology	0	11,278,631	11,278,631
21 upgrades			
22 Equipment	0	2,079,700	2,079,700
23 Victims of crime grants	0	7,000,000	7,000,000
24 Mental health assessments and services	0	550,000	550,000
25 Rough rider industries equipment and	0	13,722,181	13,722,181
26 supplies			
27 Workforce training and education	0	1,027,500	1,027,500
28 James River correctional center	0	570,000	570,000
29 maintenance building demolition			
30 County and regional correctional centers	<u>0</u>	<u>3,000,000</u>	<u>3,000,000</u>
31 contracted operations			
32 Total	\$17,697,878	\$118,645,769	\$136,343,647

30 **SECTION 3. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST.** The
31 department of corrections and rehabilitation may not spend funds appropriated in the new and

vacant FTE pool line item in section 1 of this Act, but may request the office of management and budget to transfer funds from the new and vacant FTE pool line item to the adult services and youth services line items in accordance with the guidelines and reporting provisions included in House Bill No. 1015, as approved by the sixty-ninth legislative assembly.

SECTION 4. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.

The other funds line item in section 1 of this Act includes the sum of \$102,356,197 from the strategic investment and improvements fund for one-time projects and programs as follows:

Heart River correctional center project	\$35,635,000
Missouri River correctional center temporary housing	8,032,757
Missouri River correctional center planning and design	20,000,000
James River correctional center facilities study	750,000
James River correctional center maintenance building demolition	570,000
County and regional correctional center contracted operations	3,000,000
Deferred maintenance and extraordinary repairs	15,000,000
Software and technology upgrades	11,278,631
Equipment	1,089,809
Victims of crime grants	<u>7,000,000</u>
Total	\$102,356,197

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - DIVERSION AND DEFLECTION

CENTERS. During the 2025-26 interim, the legislative management shall study the need for diversion and deflection centers in the state. The study must include the appropriate involvement of the state in the planning and establishment of diversion and deflection centers. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the seventieth legislative assembly.

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING

FUND REVENUES. Any moneys received by the department of corrections and rehabilitation from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the youth correctional center permanent fund, may be deposited in the department of

1 corrections and rehabilitation operating fund and expended pursuant to legislative appropriation,
2 for the biennium beginning July 1, 2025, and ending June 30, 2027.

3 **SECTION 7. MISSOURI RIVER CORRECTIONAL CENTER PLANNING AND DESIGN -**

4 **REPORT.** The appropriation in the adult services line item in section 1 of this Act includes
5 \$20,000,000 from the strategic investment and improvements fund for planning and design for a
6 new six hundred bed minimum security male correctional facility for the Missouri River
7 correctional center. The department of corrections and rehabilitation shall provide a quarterly
8 report to the legislative management regarding the planning and design of a new minimum
9 security facility.

10 **SECTION 8. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS**

11 **AND REHABILITATION.** During the 2025-26 interim, the legislative management shall consider
12 studying the impacts of providing requirements for offenders sentenced to the supervision and
13 custody of the department of corrections and rehabilitation. The study must include a thorough
14 review of the impacts of requiring an offender to serve eighty-five percent of an offender's term
15 of imprisonment in a secured facility, together with input from district court judges regarding
16 sentencing decisions, state's attorneys regarding charging decisions, the department of
17 corrections and rehabilitation regarding early release and use of transitional facilities to provide
18 outside services to inmates, and the parole board regarding decisions to parole an inmate. The
19 legislative management shall report its findings and recommendations, together with any
20 legislation required to implement the recommendations, to the seventieth legislative assembly.

21 **SECTION 9. EXEMPTION - UNEXPENDED APPROPRIATIONS.** The following

22 appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into
23 the biennium beginning July 1, 2025, and ending June 30, 2027:

- 24 1. Any amounts remaining from funds transferred to the department of corrections and
25 rehabilitation for deferred maintenance and extraordinary repairs from funding
26 appropriated from the strategic investment and improvements fund to the office of
27 management and budget in section 1 of chapter 640 of the 2023 Special Session
28 Session Laws.
- 29 2. Any amounts remaining from funds transferred to the department of corrections and
30 rehabilitation for deferred maintenance and extraordinary repairs from funding
31 appropriated from federal funds derived from the state fiscal recovery fund to the office

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- 1 of management and budget in subsection 10 of section 1 of chapter 550 of the 2021
- 2 Special Session Session Laws and continued pursuant to section 9 of chapter 15 of
- 3 the 2023 Session Laws.
- 4 3. The sum of \$131,200,000 appropriated from the strategic investment and
- 5 improvements fund for the construction of a new Heart River correctional center in
- 6 section 1 of chapter 15 of the 2023 Session Laws.
- 7 4. The sum of \$307,000 appropriated from the strategic investment and improvements
- 8 fund for DOCSTARS maintenance in section 1 of chapter 15 of the 2023 Session
- 9 Laws.
- 10 5. The sum of \$2,000,000 appropriated from the strategic investment and improvements
- 11 fund for information technology needs in section 1 of chapter 15 of the 2023 Session
- 12 Laws.

