

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

### ENGROSSED SENATE BILL NO. 2323

Introduced by

Senators Bekkedahl, Sorvaag, Hogue

Representatives Lefor, Brandenburg, Richter

1 A BILL for an Act to create and enact a new section to chapter 57-51 of the North Dakota  
2 Century Code, relating to an energy impact grant fund; to amend and reenact sections 57-51-15  
3 and 57-51.1-07.5 of the North Dakota Century Code, relating to oil and gas gross production tax  
4 allocations and the state share of oil and gas tax allocations; to provide for a report; to provide a  
5 continuing appropriation; to provide an exemption; to provide an effective date; and to provide  
6 an expiration date.

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

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

10 **57-51-15. Gross production tax allocation. (Effective through June 30, 2027~~2037~~2029)**

11 The gross production tax must be allocated monthly as follows:

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

1                   that would bring the balance in the fund to more than one hundred million dollars  
2                   through June 30, 2027, or to more than fifty million dollars after June 30, 2027.

3                   c. Up to ~~twenty million~~ twenty-five million dollars per fiscal year to the energy impact  
4                   grant fund under section 2 of this Act.

5                   d. Any remaining revenues pursuant to subsection 3.

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

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

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

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

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

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

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

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

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

28                  3. After the allocations under subsections 1 and 2, the amount remaining is allocated first  
29                  to provide for deposit of thirty percent of all revenue collected under this chapter in the  
30                  legacy fund as provided in section 26 of article X of the Constitution of North Dakota  
31                  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:

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

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

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

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

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

24               [1] The percentage of mining, quarrying, and oil and gas extraction  
25               employment relative to the total employment of all industries in  
26               the county in which the hub city is located, based on the most  
27               recent annual data for all ownership types compiled by job  
28               service North Dakota in the quarterly census of employment and  
29               wages, multiplied by forty-five hundredths;

30               [2] The average of the percentage of mining, quarrying, and oil and  
31               gas extraction employment relative to the total employment of all

1 industries in each county for all the counties in the human  
2 service region in which the hub city is located, based on the most  
3 recent annual data for all ownership types compiled by job  
4 service North Dakota in the quarterly census of employment and  
5 wages, multiplied by fifteen hundredths;

6 [3] The percentage of establishments engaged in mining, quarrying,  
7 and oil and gas extraction relative to the total establishments of  
8 all industries in the county in which the hub city is located, based  
9 on the most recent annual data for all ownership types compiled  
10 by job service North Dakota in the quarterly census of  
11 employment and wages, multiplied by one-tenth;

12 [4] The percentage of oil production in the human service region in  
13 which the hub city is located relative to the total oil production in  
14 all the human service regions with hub cities, based on the most  
15 recently available calendar year data compiled by the industrial  
16 commission in a report on the historical barrels of oil produced by  
17 county, multiplied by one-tenth;

18 [5] The percentage change in population from five years prior for the  
19 hub city, based on the most recent actual or estimated census  
20 data published by the United States census bureau, multiplied by  
21 one-tenth; and

22 [6] The percentage change in population from five years prior for the  
23 county in which the hub city is located, based on the most recent  
24 actual or estimated census data published by the United States  
25 census bureau, multiplied by one-tenth.

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

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

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

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

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

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

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

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.

**Gross production tax allocation. (Effective after June 30, ~~2027~~20372029)** The gross  
production tax must be allocated monthly as follows:

1. The tax revenue collected under this chapter equal to one percent of the gross value  
at the well of the oil and one-fifth of the tax on gas must be deposited with the state  
treasurer. The state treasurer shall allocate the funding in the following order:
  - a. Eight percent of the amount available under this subsection to the North Dakota  
outdoor heritage fund, but not in an amount exceeding twenty million dollars per  
fiscal year.
  - b. Four percent of the amount available under this subsection to the abandoned oil  
and gas well plugging and site reclamation fund, but not in an amount exceeding  
seven million five hundred thousand dollars per fiscal year and not in an amount  
that would bring the balance in the fund to more than fifty million dollars.
  - 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.

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

- 15 (1) Sixty percent must be distributed to the county treasurer and credited to the  
16 county general fund.
- 17 (2) Five percent must be distributed proportionally to school districts within the  
18 county on the average daily attendance distribution basis for kindergarten  
19 through grade twelve students residing within the county, as certified to the  
20 state treasurer by the county superintendent of schools. However, a hub city  
21 school district must be omitted from distributions under this subdivision.
- 22 (3) Twenty percent must be distributed to the incorporated cities of the county. A  
23 hub city must be omitted from distributions under this subdivision.  
24 Distributions among cities under this subsection must be proportional based  
25 upon the population of each incorporated city according to the last official  
26 decennial federal census. In determining the population of any city in which  
27 total employment increases by more than two hundred percent seasonally  
28 due to tourism, the population of that city for purposes of this subdivision  
29 must be increased by eight hundred percent.
- 30 (4) Four percent must be allocated among the organized and unorganized  
31 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.** A new section to chapter 57-51 of the North Dakota Century Code is created and enacted as follows:

**Energy impact grant fund - State treasurer - Continuing appropriation - Report.**

1. There is created in the state treasury the energy impact grant fund. The fund consists of all moneys allocated to the fund under section 57-51-15. All moneys in the fund are appropriated to the state treasurer on a continuing basis for energy impact grants to hub cities.
2. Within forty days after the fund receives its statutory limit of oil and gas tax allocations for a fiscal year under section 57-51-15 or by August thirty-first of each year, whichever is earlier, the state treasurer shall distribute moneys in the fund for grants to hub cities as follows:
  - a. ~~Seventy-three and eighty-eight hundredths~~Seventy and thirteen hundredths percent of the amount under this subsection to Williston;
  - b. ~~Fifteen and sixty-six hundredths~~Nineteen and ninety-four hundredths percent of the amount under this subsection to Dickinson; and



c. ~~Ten and forty-six hundredths~~Nine and ninety-three hundredths percent of the  
amount under this subsection to Minot.

3. A hub city shall use the grant funding provided under this section for debt repayments  
related to debt incurred between July 1, 2012, and December 31, 2024, to address  
impacts from oil and gas development~~or for other expenses incurred to address  
impacts from oil and gas development.~~

4. At least once per interim, each hub city shall provide a report to the budget section  
regarding the use of the funding received under this section and information on the  
hub city's outstanding debt, including maturity dates, interest rates, and annual  
repayment amounts.

**SECTION 3. 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 twenty millionthree hundred ten million  
dollars into the strategic investment and improvements fund;

- 1       8.   The next sixty-five million dollars to the public employees retirement fund for the main
- 2       system plan;
- 3       9.   The next fifty-nine million seven hundred fifty thousand dollars, or the amount
- 4       necessary to provide for twice the amount of the distributions under subsection 2 of
- 5       section 57-51.1-07.7, into the funds designated for infrastructure development in
- 6       non-oil-producing counties under sections 57-51.1-07.7 and 57-51.1-07.8 with fifty
- 7       percent deposited into the municipal infrastructure fund and fifty percent deposited into
- 8       the county and township infrastructure fund;
- 9       10.   The next one hundred seventy million two hundred fifty thousand dollars or the amount
- 10      necessary to provide a total of two hundred thirty million dollars into the funds
- 11      designated for infrastructure development in non-oil-producing counties under sections
- 12      57-51.1-07.7 and 57-51.1-07.8 with fifty percent deposited into the municipal
- 13      infrastructure fund and fifty percent deposited into the county and township
- 14      infrastructure fund;
- 15      11.   The next twenty million dollars into the airport infrastructure fund; and
- 16      12.   Any additional revenues into the strategic investment and improvements fund.

17       **SECTION 4. EXEMPTION - OIL AND GAS TAX REVENUE ALLOCATIONS - NORTH**  
18       **DAKOTA OUTDOOR HERITAGE FUND - OIL AND GAS RESEARCH FUND.**

- 19      1.   Notwithstanding the provisions of section 57-51-15 relating to the allocations to the
- 20      North Dakota outdoor heritage fund, for the period beginning September 1, 2025, and
- 21      ending August 31, 2027, the state treasurer shall allocate eight percent of the oil and
- 22      gas gross production tax revenue available under subsection 1 of section 57-51-15 to
- 23      the North Dakota outdoor heritage fund, but not in an amount exceeding \$7,500,000
- 24      per fiscal year.
- 25      2.   Notwithstanding the provisions of section 57-51.1-07.3 relating to the allocations to the
- 26      oil and gas research fund, for the period beginning August 1, 2025, and ending
- 27      July 31, 2027, the state treasurer shall allocate two percent of the oil and gas gross
- 28      production tax and oil extraction tax revenues, up to \$17,500,000, into the oil and gas
- 29      research fund before allocating oil and gas tax revenues under sections 57-51.1-07.5,
- 30      57-51.1-07.9, and 57-51.1-07.10.

1       **SECTION 5. EFFECTIVE DATE.** Section 1 of this Act is effective for oil and gas gross  
2 production tax allocations by the state treasurer occurring after August 31, 2025.

3       **SECTION 6. EXPIRATION DATE.** Section 2 of this Act is effective through June 30, 2029,  
4 and after that date is ineffective.