

HOUSE BILL NO. 1155

Introduced by

Representatives Delzer, Bellew, Carlson, Monson, Streyle

1 A BILL for an Act to amend and reenact section 54-27.2-03 of the North Dakota Century Code,
2 relating to transfers and expenditures from the budget stabilization fund.

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

4 **SECTION 1. AMENDMENT.** Section 54-27.2-03 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-27.2-03. Transfers and expenditures from budget stabilization fund.**

7 ~~If the director of the office of management and budget projects that general fund revenues~~
8 ~~for the biennium will be at least two and one-half percent less than estimated by the most~~
9 ~~recently adjourned special or regular session of the legislative assembly, and if the governor~~
10 ~~orders a transfer, which must be reported to the budget section of the legislative management,~~
11 ~~the state treasurer shall transfer the appropriate funds from the budget stabilization fund to the~~
12 ~~state general fund to offset the decrease in general fund revenues. The amount transferred from~~
13 ~~the budget stabilization fund upon order of the governor may not exceed the difference between~~
14 ~~an amount two and one-half percent below the general fund revenue projections for the~~
15 ~~biennium of the most recently adjourned special or regular session of the legislative assembly~~
16 ~~and the general fund revenue projections for the biennium by the director of the office of~~
17 ~~management and budget. The amount~~ The governor may order transfers from the budget
18 stabilization fund to the general fund only if general fund allotments totaling at least three
19 percent have been made during the biennium under section 54-44.1-12. The amount of
20 transfers made under this section is limited as follows:

- 21 1. The amount of transfers may not exceed the difference between an amount three
22 percent less than the general fund revenue projections for the biennium of the most
23 recently adjourned special or regular session of the legislative assembly and the

- 1 revised general fund revenue projections for the biennium as determined by the
2 director of the office of management and budget.
- 3 2. Except as provided under subsection 3 of this section, the total amount of transfers
4 made during a biennium is limited to the lesser of one-half of the balance of the budget
5 stabilization fund as of the first day of the biennium or an amount equal to six percent
6 of total biennium general fund appropriations approved by the most recently adjourned
7 special or regular session of the legislative assembly.
- 8 3. After the maximum amount of transfers is made under subsection 2 of this section,
9 additional transfers may be made in amounts equal to the amount of general fund
10 reduction from any budget allotments under section 54-44.1-12 that exceed three
11 percent during a biennium.
- 12 Any amounts transferred from the budget stabilization fund upon order of the governor to the
13 state general fund may be expended within the limits of legislative guidelines and general fund
14 appropriations of the most recently adjourned special or regular session of the legislative
15 assembly. For purposes of this section, "~~general fund revenues for the biennium~~" and "general
16 fund revenue projections for the biennium" include the general fund balance at the beginning of
17 the biennium. The director of the office of management and budget must provide a report to the
18 budget section of the legislative management when a transfer is made under this section.