

Introduced by

Senator Marcellais

1 A BILL for an Act to amend and reenact subsection 1 of section 39-03.1-09, subsection 2 of
2 section 52-11-01, sections 54-52-06.1, 54-52-06.2, and 54-52-06.4, and subsection 1 of section
3 54-52.6-09 of the North Dakota Century Code, relating to employee contributions for state
4 retirement programs; and to provide compensation adjustments.

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

6 **SECTION 1. AMENDMENT.** Subsection 1 of section 39-03.1-09 of the North Dakota
7 Century Code is amended and reenacted as follows:

8 1. Every member, except as provided in section 39-03.1-07, shall contribute into the fund
9 ten and thirty-hundredths percent of the member's monthly salary, which sum must be
10 deducted from the member's salary and credited to the member's account in the fund.
11 Member contributions increase by one percent of the member's monthly salary
12 beginning with the monthly reporting period of January 2012; with an additional
13 increase of one percent, beginning with the monthly reporting period of January 2013;
14 with an additional increase of one percent, beginning with the monthly reporting period
15 of January 2014; with an additional increase of one-half of one percent, beginning with
16 the monthly reporting period of January 2022; with an additional increase of one-half
17 of one percent, beginning with the monthly reporting period of January 2023; with an
18 additional increase of one-half of one percent, beginning with the monthly reporting
19 period of January 2024; and with an additional increase of one-half of one percent,
20 beginning with the monthly reporting period of January 2025. Beginning with the
21 monthly reporting period of August 2023, the state shall pay the member contribution
22 under this subsection.

23 **SECTION 2. AMENDMENT.** Subsection 2 of section 52-11-01 of the North Dakota Century
24 Code is amended and reenacted as follows:

1 2. The employing agency shall be authorized to withhold the employee's share of the
2 contributions required under such retirement program from the salary paid each
3 employee of such agency. The amount of such withholding must be an adjustable
4 percentage rate of the employee's salary sufficient to provide financing of the required
5 employee's contributions to such retirement plan as such plan was originally
6 contracted and as it has been or will be amended, provided that such percentage rate
7 may not exceed the percentage rate which may be fixed for withholding from federal
8 employees for employee contributions to the federal retirement program under civil
9 service. The employing agency shall be authorized to pay a sum as prescribed in the
10 program contract toward the cost of such retirement program, which sum may not be
11 in excess of the amount approved by the appropriate federal agency supervising the
12 payment or reimbursement of salary and retirement program costs. The amount
13 withheld from the wages due an employee and the amount to be paid by the
14 employing agency must be paid to the company holding such retirement program
15 contract in accordance with the terms of such contract. Beginning with the monthly
16 reporting period of August 2023, the state shall pay the employee's contribution under
17 this subsection.

18 **SECTION 3. AMENDMENT.** Section 54-52-06.1 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **54-52-06.1. Contribution by supreme and district court judges - Employer**
21 **contribution.**

22 Each judge of the supreme or district court who is a member of the public employees
23 retirement system must be assessed and required to pay monthly five percent of the judge's
24 monthly salary. Member contributions increase by one percent of the judge's monthly salary
25 beginning with the monthly reporting period of January 2012, and with an additional increase of
26 one percent, beginning with the reporting period of January 2013, and with an additional
27 increase of one percent, beginning with the monthly reporting period of January 2014. The
28 assessment must be deducted and retained out of the judge's salary in equal monthly
29 installments. The state shall contribute an amount equal to fourteen and fifty-two
30 one-hundredths percent of the monthly salary of a supreme or district court judge who is a
31 participating member of the system, which matching contribution must be paid from its funds

1 appropriated for salary, or from any other funds available for such purposes. State contributions
2 increase by one percent of the monthly salary of a supreme or district court judge who is a
3 participating member of the system beginning with the monthly reporting period of
4 January 2012, and with an additional increase of one percent, beginning with the monthly
5 reporting period of January 2013, and with an additional increase of one percent, beginning with
6 the monthly reporting period of January 2014. If the judge's contribution is paid by the state
7 under subsection 3 of section 54-52-05, the state shall contribute, in addition, an amount equal
8 to the required judge's contribution. Beginning with the monthly reporting period of August 2023,
9 the state shall pay the judge's contribution under this section.

10 **SECTION 4. AMENDMENT.** Section 54-52-06.2 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **54-52-06.2. Contribution by national guard security officers or firefighters - Employer**
13 **contribution.**

14 Each national guard security officer or firefighter who is a member of the public employees
15 retirement system is assessed and shall pay monthly four percent of the employee's monthly
16 salary. Member contributions increase by one-half of one percent of the member's monthly
17 salary beginning with the monthly reporting period of January 2014. Effective August 1, 2015,
18 each national guard security officer or firefighter who is a participating member of the plan under
19 this section becomes a participating member of the plan under section 54-52-06.4 and the
20 board shall thereafter manage any account balance associated with those participating
21 members under section 54-52-06.4. After July 31, 2015, a new eligible employee may not
22 become a participating member of the plan under this section. The assessment must be
23 deducted and retained out of the employee's salary in equal monthly installments. The national
24 guard security officer's or firefighter's employer shall contribute an amount determined by the
25 board to be actuarially required to support the level of benefits specified in section 54-52-17.
26 The employer's contribution must be paid from funds appropriated for salary or from any other
27 funds available for such purposes. If the security officer's or firefighter's assessment is paid by
28 the employer under subsection 3 of section 54-52-05, the employer shall contribute, in addition,
29 an amount equal to the required national guard security officer's or firefighter's assessment.
30 Beginning with the monthly reporting period of August 2023, the state shall pay the security
31 officer and firefighter contributions under this section.

1 **SECTION 5. AMENDMENT.** Section 54-52-06.4 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **54-52-06.4. Contribution by peace officers employed by the bureau of criminal**
4 **investigation or security officers employed by the national guard - Employer**
5 **contribution.**

6 Each peace officer employed by the bureau of criminal investigation who is a member of the
7 public employees retirement system is assessed and shall pay monthly four percent of the
8 employee's monthly salary. Peace officer contributions increase by one percent of the member's
9 monthly salary beginning with the monthly reporting period of January 2012, and with an
10 additional increase of one percent, beginning with the reporting period of January 2013.
11 Effective August 1, 2015, each national guard security officer who is a member of the public
12 employee's retirement system is assessed and monthly shall pay six percent of the employee's
13 monthly salary. National guard security officer contributions decrease by one-half of one percent
14 of the member's monthly salary beginning with the monthly reporting period of January 2016.
15 The assessment must be deducted and retained out of the employee's salary in equal monthly
16 installments. The peace officer's or security officer's employer shall contribute an amount
17 determined by the board to be actuarially required to support the level of benefits specified in
18 section 54-52-17. The employer's contribution must be paid from funds appropriated for salary
19 or from any other funds available for such purposes. If the peace officer's or security officer's
20 assessment is paid by the employer under subsection 3 of section 54-52-05, the employer shall
21 contribute, in addition, an amount equal to the required peace officer's or security officer's
22 assessment. Beginning with the monthly reporting period of August 2023, the state shall pay the
23 peace officer and security officer contributions under this section.

24 **SECTION 6. AMENDMENT.** Subsection 1 of section 54-52.6-09 of the North Dakota
25 Century Code is amended and reenacted as follows:

26 1. Each participating member shall contribute monthly four percent of the monthly salary
27 or wage paid to the participant, and this assessment must be deducted from the
28 participant's salary in equal monthly installments commencing with the first month of
29 participation in the defined contribution retirement plan established under this chapter.
30 Participating member contributions increase by one percent of the monthly salary or
31 wage paid to the participant beginning with the monthly reporting period of

1 January 2012; with an additional increase of one percent, beginning with the reporting
2 period of January 2013; and with an additional increase of one percent, beginning with
3 the monthly reporting period of January 2014. Beginning with the monthly reporting
4 period of August 2023, the state shall pay the participating member contribution under
5 this section for each participating member who is an employee of the state.

6 **SECTION 7. STATE EMPLOYEE COMPENSATION ADJUSTMENTS.** The 2023-25
7 biennium compensation adjustments for permanent state employees are to equal four percent
8 per eligible employee for the first fiscal year of the biennium and are to equal four percent per
9 eligible employee for the second year of the biennium. The increases for the first year of the
10 biennium are to be given beginning with the month of July 2023, to be paid in August 2023, and
11 for the second year of the biennium are to be given beginning with the month of July 2024, to be
12 paid in August 2024.