

**FISCAL NOTE**  
**Requested by Legislative Council**  
**01/06/2021**

Bill/Resolution No.: SB 2129

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2019-2021 Biennium		2021-2023 Biennium		2023-2025 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>						
<b>Expenditures</b>				\$300,000		\$300,000
<b>Appropriations</b>						

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2019-2021 Biennium	2021-2023 Biennium	2023-2025 Biennium
<b>Counties</b>			
<b>Cities</b>			
<b>School Districts</b>			
<b>Townships</b>			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill increases the statutory caps for liability of political subdivisions and the State. The proposed increases will have an actuarial impact on premiums and required contributions.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Increasing the statutory caps will increase both indemnity and defense costs associated with claims brought against the State and political subdivisions

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*
- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The Risk Management Division of OMB engages the services of an independent actuary every two years to review the Risk Management Fund and make recommendations on funding needs for the next biennial period. The allocated required funding is provided to agencies when they plan their budget for the legislative session. This analysis for the 21-23 biennial period has been completed. Risk Management reached out to the independent actuary to provide a rough estimate on additional funding needs. Based upon data provided when the actuary previously conducted an analysis for the 21-23 biennial period, they estimate an additional funding need of \$300,000 in required contributions from state agencies. Subsequent biennial periods will also require an estimated additional \$300,000 adjusted upwards based upon loss development at the higher limits. It is unknown what fiscal impact this bill will have on political subdivisions and the North Dakota Insurance Reserve Fund.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Expenditures for claims and defense costs are subject to a continuing appropriation.

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