

23.0680.01002

Sixty-eighth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2142**

Introduced by

Senators Mathern, K. Roers, Sorvaag

Representatives Ista, Meier, Mitskog

1 A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota  
2 Century Code, relating to the creation of ~~an office of health care immigration~~ a division of  
3 immigration assistance; to amend and reenact section 54-60-02 of the North Dakota Century  
4 Code, relating to divisions of the department of commerce; to provide an appropriation; and to  
5 provide for a report.

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

7 **SECTION 1.** A new section to chapter 54-60 of the North Dakota Century Code is created  
8 and enacted as follows:

9 ~~Office of health care immigration - Duties - Fees.~~

10 ~~There is created an office of health care immigration within the department of commerce.~~

11 ~~Employees of the office of health care immigration report to the commissioner and shall:~~

12 ~~1. Coordinate and expedite the immigration process and placement of international~~  
13 ~~health care workers immigrating to North Dakota for employment in health care~~  
14 ~~facilities.~~

15 ~~2. Support recently immigrated individuals working in a health care facility by assisting~~  
16 ~~with any financial, legal, housing, or other immigration-related applications, forms, or~~  
17 ~~communications necessary to provide for successful immigration to the state.~~

18 ~~3. Collaborate with health care facilities to establish a system to assist immigrants with~~  
19 ~~accessing basic housing, food, and other essential services necessary to provide for~~  
20 ~~successful immigration to the state.~~

21 ~~4. Create a communication system among health care immigrated and other immigrated~~  
22 ~~individuals to provide a network for immigrants to share community resources and~~  
23 ~~provide immigration process assistance.~~

- 1 ~~5. Provide outreach services to current and potential health care immigrants to~~  
2 ~~encourage additional individuals to immigrate to North Dakota for employment in~~  
3 ~~health care facilities.~~
- 4 ~~6. Develop guidelines and procedures for a fee system to be assessed to each business~~  
5 ~~benefiting from employment of immigrant workers as a result of assistance provided~~  
6 ~~by the office of health care immigration to offset administrative costs of the office of~~  
7 ~~health care immigration by July 1, 2025. Revenue collected from health care~~  
8 ~~immigration assistance fees and any interest earned on these moneys must be~~  
9 ~~deposited in the economic development fund for the benefit of the office of health care~~  
10 ~~immigration, subject to legislative appropriations.~~

11 **Division of immigration assistance**

12 There is created a division of immigration assistance in the department of commerce. The  
13 division of immigration assistance shall assist:

- 14 1. Individuals residing in North Dakota that recently immigrated to the state and  
15 individuals considering immigrating to the state for work or education related  
16 purposes; and
- 17 2. North Dakota businesses attempting to attract and retain immigrant workers.

18 **SECTION 2. AMENDMENT.** Section 54-60-02 of the North Dakota Century Code is  
19 amended and reenacted as follows:

20 **54-60-02. Department of commerce - Divisions.**

21 The North Dakota department of commerce is created.

- 22 1. The department must consist of:
- 23 a. A division of community services;
- 24 b. A division of economic development and finance;
- 25 c. A division of tourism;
- 26 d. A division of workforce development;
- 27 e. A division of immigration assistance; and
- 28 e.f. Any division or office the commissioner determines necessary to carry out this
- 29 chapter.
- 30 2. The commissioner shall appoint the director of each division of the department. Each
- 31 director appointed by the commissioner serves at the pleasure of the commissioner

1 and is entitled to receive a salary set by the commissioner within the limits of  
2 legislative appropriations.

3 **SECTION 3. APPROPRIATION - DEPARTMENT OF COMMERCE - OFFICE OF HEALTH-**  
4 **CARE-IMMIGRATION DIVISION OF IMMIGRATION ASSISTANCE OPERATIONS -**  
5 **FULL-TIME EQUIVALENT POSITIONS -- REPORT TO SIXTY-NINTH LEGISLATIVE-**  
6 **ASSEMBLY -- ONE-TIME FUNDING.** There is appropriated out of any moneys in the general  
7 fund in the state treasury, not otherwise appropriated, the sum of ~~\$536,257~~, or so much of the  
8 sum as may be necessary, and out of any moneys in the economic development fund in the  
9 state treasury, not otherwise appropriated, the sum of ~~\$536,257~~ \$2,036,541, or so much of the  
10 sum as may be necessary, to the department of commerce, of which \$1,036,541 is for the  
11 purpose of providing salaries and benefits for ~~office of health care immigration division of~~  
12 immigration assistance staff and \$1,000,000 is for the purpose of contracting with a third-party  
13 vendor to assist the division of immigration assistance with services required in section 1 of this  
14 Act, for the biennium beginning July 1, 2023, and ending June 30, 2025. The department of  
15 commerce is authorized five full-time equivalent positions to administer the ~~office of health care-~~  
16 ~~immigration, including one attorney, one administrative assistant, and three nurse positions.~~ The  
17 ~~department of commerce shall report to the sixty-ninth legislative assembly regarding the~~  
18 ~~number of health care immigrants and health care facilities assisted through the office of health~~  
19 ~~care immigration during the 2023-25 biennium. The \$536,257 appropriation from the general~~  
20 ~~fund in this section is considered a one-time funding item~~ division of immigration assistance.

21 **SECTION 4. APPROPRIATION - DEPARTMENT OF COMMERCE - IMMIGRATION**  
22 **ASSISTANCE GRANT PROGRAM - MATCHING FUNDS REQUIREMENT - REPORT TO**  
23 **SIXTY-NINTH LEGISLATIVE ASSEMBLY.** There is appropriated out of any moneys in the  
24 general fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, or so  
25 much of the sum as may be necessary, to the department of commerce for the purpose of  
26 providing grants to North Dakota businesses to attract and retain immigrant workers, for the  
27 biennium beginning July 1, 2023, and ending June 30, 2025. The department of commerce may  
28 spend the funds appropriated in this section only to the extent the organization has secured  
29 matching funds from nonstate sources on a dollar-for-dollar basis. The department of commerce  
30 shall report to the sixty-ninth legislative assembly regarding the number of North Dakota

Sixty-eighth  
Legislative Assembly

- 1 businesses assisted and number of workers added as a result of grants provided by the division
- 2 of immigrant assistance during the 2023-25 biennium.

February 1, 2023

PROPOSED AMENDMENTS TO SENATE BILL NO. 2142

Page 1, line 2, remove "health care"

Page 1, line 7, remove "**health care** "

Page 1, line 8, remove "health care"

Page 1, line 9, remove "health care"

Page 1, line 11, remove "health care"

Page 1, line 11, remove "in health care"

Page 1, line 12, remove "facilities"

Page 1, line 13, remove "working in a health care facility"

Page 1, line 16, replace "health care facilities" with "employers"

Page 1, line 19, remove "health care immigrated and other"

Page 1, line 22, remove "health care"

Page 1, line 23, remove "in"

Page 1, line 24, remove "health care facilities"

Page 2, line 3, remove "health care"

Page 2, line 4, remove "health care"

Page 2, line 4, remove "health care"

Page 2, line 6, remove "health care"

Page 2, line 9, remove "**HEALTH CARE** "

Page 2, line 11, replace "\$536,257" with "\$242,500"

Page 2, line 13, replace "\$536,257" with "\$242,500"

Page 2, line 15, remove "health care"

Page 2, line 16, replace "five" with "one"

Page 2, line 17, replace "positions" with "position"

Page 2, line 17, remove "health care"

Page 2, line 17, remove ", including one attorney, one"

Page 2, line 18, remove "administrative assistant, and three nurse positions"

Page 2, line 19, remove "health care"

Page 2, line 19, remove the second "health"

Page 2, line 20, replace "care facilities" with "employers"

Page 2, line 20, remove "health care"

Page 2, line 21, replace "\$536,257" with "\$242,500"

Page 2, after line 22, insert:

**"SECTION 3. LEGISLATIVE MANAGEMENT STUDY - IMMIGRATION - BUDGET SECTION REPORT - REPORT TO SIXTY-NINTH LEGISLATIVE ASSEMBLY.** During the 2023-2024 interim, the legislative management shall study the immigration needs in the state. The study must include input from the department of commerce regarding the implementation of the office of immigration, the number of immigrants assisted, efficiencies gained in helping immigrant individuals with the immigration process, collaborative efforts with businesses, the status of the immigration communication system, the status of developing a fee system to defray the administrative costs of the office, and other immigration needs in the state. The study must be completed by July 1, 2024. The interim committee assigned the responsibility for this study shall provide a recommendation regarding the current and future immigration needs of the state and the role of the office of immigration to the budget section. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly