

April 16, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2002

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the judicial branch;
2 to create and enact a new subsection to section 54-06-08.2 of the North Dakota Century Code,
3 relating to credit and debit card fees; to amend and reenact sections 27-02-02 and 27-05-03 of
4 the North Dakota Century Code, relating to the salaries of justices of the supreme court and
5 salaries of district court judges; to provide for transfers; to provide for a report; and to provide an
6 exemption.

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

8 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
9 as may be necessary, are appropriated out of any moneys in the general fund in the state
10 treasury, not otherwise appropriated, and from other funds derived from special funds and
11 federal funds, to the judicial branch for the purpose of defraying the expenses of the judicial
12 branch, for the biennium beginning July 1, 2025, and ending June 30, 2027, as follows:

13 Subdivision 1.

14 SUPREME COURT

15		Adjustments or	
16	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
17	Salaries and wages	\$12,363,778	\$1,055,927
18	New and vacant FTE pool	(68,714)	8,671,500
19	Operating expenses	191,426	3,106,685
20	Capital assets	0	866,100

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1	Total all funds	\$24,019,251	\$2,044,739	\$26,063,990
2	Less other funds	97,793	(53,664)	44,129
3	Total general fund	\$23,921,458	\$2,098,403	\$26,019,861
4	Salaries and wages	\$12,363,778	\$1,488,083	\$13,851,861
5	New and vacant FTE pool	8,740,214	(690,730)	8,049,484
6	Operating expenses	2,915,259	219,534	3,134,793
7	Capital assets	0	866,100	866,100
8	Total all funds	\$24,019,251	\$1,882,987	\$25,902,238
9	Less other funds	97,793	(53,664)	44,129
10	Total general fund	\$23,921,458	\$1,936,651	\$25,858,109

Subdivision 2.

DISTRICT COURTS

13		Adjustments or		
14		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
15	Salaries and wages	\$79,576,340	\$11,134,861	\$90,711,201
16	Operating expenses	24,524,619	3,006,722	27,531,341
17	Capital assets	0	4,742,216	4,742,216
18	Judges' retirement	177,340	(13,666)	163,674
19	Total all funds	\$104,278,299	\$18,870,133	\$123,148,432
20	Less other funds	830,318	(11,320)	818,998
21	Total general fund	\$103,447,981	\$18,881,453	\$122,329,434
22	Salaries and wages	\$79,576,340	\$13,235,292	\$92,811,632
23	Operating expenses	24,524,619	3,767,875	28,292,494
24	Capital assets	0	5,528,916	5,528,916
25	Judges' retirement	177,340	(13,666)	163,674
26	Total all funds	\$104,278,299	\$22,518,417	\$126,796,716
27	Less other funds	830,318	4,643,380	5,473,698
28	Total general fund	\$103,447,981	\$17,875,037	\$121,323,018

Subdivision 3.

JUDICIAL CONDUCT COMMISSION AND DISCIPLINARY BOARD

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Judicial conduct commission and	\$1,399,862	\$155,643	\$1,555,505
—disciplinary board			
Total all funds	\$1,399,862	\$155,643	\$1,555,505
Less other funds	512,317	(2,779)	509,538
Total general fund	\$887,545	\$158,422	\$1,045,967
Judicial conduct commission and	\$1,399,862	\$191,985	\$1,591,847
disciplinary board			
Total all funds	\$1,399,862	\$191,985	\$1,591,847
Less other funds	512,317	7,860	520,177
Total general fund	\$887,545	\$184,125	\$1,071,670

Subdivision 4.

~~Office of Guardianship and Conservatorship~~ OFFICE OF GUARDIANSHIP AND
CONSERVATORSHIP

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Office of guardianship and conservatorship	\$0	\$936,405	\$936,405
Total general fund	\$0	\$936,405	\$936,405
Office of guardianship and conservatorship	\$0	\$730,478	\$730,478
Total general fund	\$0	\$730,478	\$730,478

Subdivision 5.

TOTAL - SECTION 1

		Adjustments or	
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
Grand total all funds	\$129,697,412	\$22,006,920	\$151,704,332
Grand total other funds	1,440,428	(67,763)	1,372,665
Grand total general fund	\$128,256,984	\$22,074,683	\$150,331,667
Full-time equivalent positions	384.00	12.00	396.00
Grand total all funds	\$129,697,412	\$25,323,867	\$155,021,279
Grand total other funds	1,440,428	4,597,576	6,038,004

1	<u>Grand total general fund</u>	<u>\$128,256,984</u>	<u>\$20,726,291</u>	<u>\$148,983,275</u>
2	<u>Full-time equivalent positions</u>	<u>384.00</u>	<u>10.00</u>	<u>394.00</u>

3 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**

4 **SEVENTIETH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
5 items included in the appropriation in section 1 of this Act which are not included in the entity's
6 base budget for the 2027-29 biennium and which the entity shall report to the appropriations
7 committees of the seventieth legislative assembly regarding the use of this funding:

8	<u>One-Time Funding Description</u>	<u>General Fund</u>		
9	<u>Information technology equipment lease</u>	<u>\$874,216</u>		
10	<u>Case management software cloud migration</u>	<u>758,000</u>		
11	<u>Clerk filing software</u>	<u>1,250,000</u>		
12	<u>Court records access system</u>	<u>960,000</u>		
13	<u>Cloud-based storage fees</u>	<u>866,100</u>		
14	<u>Courtroom audio and video equipment</u>	<u>800,000</u>		
15	<u>Cass County courtroom equipment</u>	<u>100,000</u>		
16	<u>Total</u>	<u>\$5,608,316</u>		

17	<u>One-Time Funding Description</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total Funds</u>
18	<u>Information technology equipment</u>	<u>\$874,216</u>	<u>\$0</u>	<u>\$874,216</u>
19	<u> lease</u>			
20	<u>Case management software cloud</u>	<u>0</u>	<u>758,000</u>	<u>758,000</u>
21	<u> migration</u>			
22	<u>Clerk filing software</u>	<u>0</u>	<u>1,250,000</u>	<u>1,250,000</u>
23	<u>Court records access system</u>	<u>0</u>	<u>960,000</u>	<u>960,000</u>
24	<u>Cloud-based storage fees</u>	<u>866,100</u>	<u>0</u>	<u>866,100</u>
25	<u>Courtroom audio and video equipment</u>	<u>0</u>	<u>1,586,700</u>	<u>1,586,700</u>
26	<u>Cass County courtroom equipment</u>	<u>0</u>	<u>100,000</u>	<u>100,000</u>
27	<u>Total</u>	<u>\$1,740,316</u>	<u>\$4,654,700</u>	<u>\$6,395,016</u>

28 **SECTION 3. NEW AND VACANT FTE POOL - BUDGET SECTION REPORT.**

- 29 1. The supreme court may not spend funding from the new and vacant FTE funding pool
30 line item in subdivision 1 of section 1 of this Act, but may transfer funds from this line
31 item to the salaries and wages line items within subdivisions 1 and 2 of this Act, to the

guardianship and conservatorship line item within subdivision 1 of this Act, and to the judicial conduction commission and disciplinary board line item within subdivision 3 of this Act, as necessary to provide funding for:

- a. Filling a new position from the date of hire through the end of the biennium; or
- b. Salaries and wages if actual salaries and wages savings from vacant positions and employee turnover, adjusted for other uses, are less than the estimate used by the sixty-ninth legislative assembly in the development of the appropriation.

2. The supreme court shall report to the budget section regarding the use of funding in the pool, including information on:

- a. New FTE positions, including the date hired;
- b. Vacant FTE positions, including information regarding positions that become vacant and positions filled, salaries and wages savings resulting from vacant positions and employee turnover, and the use of salaries and wages savings for other purposes; and
- c. Additional salaries and wages funding needed due to savings from vacant positions being less than anticipated.

3. If funding in the new and vacant FTE pool line item is insufficient to provide the necessary salaries and wages funding for the biennium, the supreme court may request a deficiency appropriation from the seventieth legislative assembly.

SECTION 4. APPROPRIATION. There are appropriated any funds received by the supreme court, district courts, and judicial conduct commission and disciplinary board, not otherwise appropriated, pursuant to federal acts and private gifts, grants, and donations for the purpose as designated in the federal acts or private gifts, grants, and donations, for the period beginning July 1, 2025, and ending June 30, 2027.

SECTION 5. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.

The grand total other funds line item in section 1 of this Act includes the sum of \$4,654,700 from the strategic investment and improvements fund for one-time projects and programs as follows:

Case management software cloud migration	\$758,000
Clerk filing software	1,250,000
Court records access system	960,000
Courtroom audio and video equipment	1,586,700

1	Cass County courtroom equipment	<u>100,000</u>
2	Total	\$4,654,700

3 **SECTION 6. AMENDMENT.** Section 27-02-02 of the North Dakota Century Code is
4 amended and reenacted as follows:

5 **27-02-02. Salaries of justices of supreme court.**

6 The annual salary of each justice of the supreme court is ~~one hundred seventy-nine~~
7 ~~thousand three hundred twelve dollars through June 30, 2024, and one hundred eighty-six~~
8 ~~thousand four hundred eighty-four dollars thereafter~~two hundred two thousand three hundred
9 thirty-five dollarstwo hundred seven thousand two hundred forty-nine dollars. The chief justice of
10 the supreme court is entitled to receive an additional ~~five thousand seventy-one dollars per~~
11 ~~annum through June 30, 2024, and five thousand two hundred seventy-four~~six thousand six
12 hundred eighty-oneseven thousand six hundred forty-seven dollars per annum thereafter.

13 **SECTION 7. AMENDMENT.** Section 27-05-03 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **27-05-03. Salaries and expenses of district judges.**

16 The annual salary of each district judge is ~~one hundred sixty-four thousand five hundred~~
17 ~~thirty-two dollars through June 30, 2024, and one hundred seventy-one thousand one hundred~~
18 ~~thirteen dollars thereafter~~one hundred eighty-three thousand ninety-one dollarsone hundred
19 eighty-four thousand three hundred sixty-six dollars. Each district judge is entitled to travel
20 expenses, including mileage and subsistence while engaged in the discharge of official duties
21 outside the city in which the judge's chambers are located. The salary and expenses are
22 payable monthly in the manner provided by law. A presiding judge of a judicial district is entitled
23 to receive an additional ~~four thousand six hundred seventy-five~~five thousand two hundred
24 twofive thousand one hundred sixty-two dollars per annum ~~through June 30, 2024, and four~~
25 ~~thousand eight hundred sixty-two dollars thereafter.~~

26 **SECTION 8.** A new subsection to section 54-06-08.2 of the North Dakota Century Code is
27 created and enacted as follows:

28 The judicial branch may charge a reasonable fee not exceeding the discount charged
29 by the credit or debit card issuer. The fee may be added to a payment as a service
30 charge for the acceptance of a payment made by a credit or debit card. The state

1 court administrator shall determine which nationally recognized cards will be accepted
2 for payments made to the judicial branch under this section.

3 **SECTION 9. EXEMPTION - TRANSFERS.** Notwithstanding section 54-16-04, the director
4 of the office of management and budget shall transfer appropriation authority between line items
5 in section 1 of this Act, as requested by the supreme court upon a finding by the court that the
6 nature of the duties of the court and its staff requires the transfers to carry on properly the
7 functions of the judicial branch of government.