

February 21, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### SENATE BILL NO. 2015

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of  
2 corrections and rehabilitation; to provide for a report; to provide for a legislative management  
3 study; and to provide an exemption.

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

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

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
13 <del>Adult services</del>	<del>\$265,998,440</del>	<del>\$0</del>	<del>\$265,998,440</del>
14 <del>Youth services</del>	<del>26,853,221</del>	<del>0</del>	<del>26,853,221</del>
15 <del>Total all funds</del>	<del>\$292,851,661</del>	<del>\$0</del>	<del>\$292,851,661</del>
16 <del>Less other funds</del>	<del>45,744,746</del>	<del>0</del>	<del>45,744,746</del>
17 <del>Total general fund</del>	<del>\$247,106,915</del>	<del>\$0</del>	<del>\$247,106,915</del>
18 <del>Full-time equivalent positions</del>	<del>929.79</del>	<del>0.00</del>	<del>929.79</del>
19 <u>Adult services</u>	<u>\$265,998,440</u>	<u>\$161,089,699</u>	<u>\$427,088,139</u>
20 <u>Youth services</u>	<u>26,853,221</u>	<u>9,480,420</u>	<u>36,333,641</u>

1	<u>New and vacant FTE pool</u>	0	15,246,375	15,246,375
2	<u>Total all funds</u>	\$292,851,661	\$185,816,494	\$478,668,155
3	<u>Less other funds</u>	45,744,746	108,434,000	154,178,746
4	<u>Total general fund</u>	\$247,106,915	\$77,382,494	\$324,489,409
5	<u>Full-time equivalent positions</u>	929.79	51.00	980.79

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

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

<u>One-Time Funding Description</u>	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Heart River correctional center	\$36,742	\$35,635,000	\$35,671,742
Missouri River correctional center temporary housing unit	121,136	8,032,757	8,153,893
Payments to county and regional jails	17,500,000	0	17,500,000
Deferred maintenance and extraordinary repairs	0	15,000,000	15,000,000
New FTE costs	40,000	0	40,000
James River correctional center study	0	750,000	750,000
Missouri River correctional center planning and design	0	20,000,000	20,000,000
Software systems and technology upgrades	0	11,278,631	11,278,631
Equipment	0	2,079,700	2,079,700
Victims of crime grants	0	7,000,000	7,000,000
Mental health assessments and services	0	550,000	550,000
Rough rider industries equipment and supplies	0	13,722,181	13,722,181
Workforce training and education	0	1,027,500	1,027,500
James River correctional center maintenance building demolition	0	570,000	570,000

1	County and regional correctional centers	<u>0</u>	<u>3,000,000</u>	<u>3,000,000</u>
2	contracted operations			
3	Total	\$17,697,878	\$118,645,769	\$136,343,647

4       **SECTION 3. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST.** The  
5 department of corrections and rehabilitation may not spend funds appropriated in the new and  
6 vacant FTE pool line item in section 1 of this Act, but may request the office of management and  
7 budget to transfer funds from the new and vacant FTE pool line item to the adult services and  
8 youth services line items in accordance with the guidelines and reporting provisions included in  
9 House Bill No. 1015, as approved by the sixty-ninth legislative assembly.

10       **SECTION 4. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.**

11 The other funds line item in section 1 of this Act includes the sum of \$102,356,197 from the  
12 strategic investment and improvements fund for one-time projects and programs as follows:

13	Heart River correctional center project			\$35,635,000
14	Missouri River correctional center temporary housing			8,032,757
15	Missouri River correctional center planning and design			20,000,000
16	James River correctional center facilities study			750,000
17	James River correctional center maintenance building demolition			570,000
18	County and regional correctional center contracted operations			3,000,000
19	Deferred maintenance and extraordinary repairs			15,000,000
20	Software and technology upgrades			11,278,631
21	Equipment			1,089,809
22	Victims of crime grants			<u>7,000,000</u>
23	Total			\$102,356,197

24       **SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING**  
25 **FUND REVENUES.** Any moneys received by the department of corrections and rehabilitation  
26 from correctional supervision, electronic monitoring, and detention; reimbursements from other  
27 agencies; profits received from department of corrections and rehabilitation commissary;  
28 miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and  
29 from the youth correctional center permanent fund, may be deposited in the department of  
30 corrections and rehabilitation operating fund and expended pursuant to legislative appropriation  
31 for the biennium beginning July 1, 2025, and ending June 30, 2027.

1 | **SECTION 6. MISSOURI RIVER CORRECTIONAL CENTER PLANNING AND DESIGN -**  
2 **REPORT.** The appropriation in the adult services line item in section 1 of this Act includes  
3 \$20,000,000 from the strategic investment and improvements fund for planning and design for a  
4 new six hundred bed minimum security male correctional facility for the Missouri River  
5 correctional center. The department of corrections and rehabilitation shall provide a quarterly  
6 report to the legislative management regarding the planning and design of a new minimum  
7 security facility.

8 | **SECTION 7. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS**  
9 **AND REHABILITATION.** During the 2025-26 interim, the legislative management shall consider  
10 studying the impacts of providing requirements for offenders sentenced to the supervision and  
11 custody of the department of corrections and rehabilitation. The study must include a thorough  
12 review of the impacts of requiring an offender to serve eighty-five percent of an offender's term  
13 of imprisonment in a secured facility, together with input from district court judges regarding  
14 sentencing decisions, state's attorneys regarding charging decisions, the department of  
15 corrections and rehabilitation regarding early release and use of transitional facilities to provide  
16 outside services to inmates, and the parole board regarding decisions to parole an inmate. The  
17 legislative management shall report its findings and recommendations, together with any  
18 legislation required to implement the recommendations, to the seventieth legislative assembly.

19 | **SECTION 8. EXEMPTION - UNEXPENDED APPROPRIATIONS.** The following  
20 appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into  
21 the biennium beginning July 1, 2025, and ending June 30, 2027:

- 22 | 1. Any amounts remaining from funds transferred to the department of corrections and  
23 rehabilitation for deferred maintenance and extraordinary repairs from funding  
24 appropriated from the strategic investment and improvements fund to the office of  
25 management and budget in section 1 of chapter 640 of the 2023 Special Session  
26 Session Laws.
- 27 | 2. Any amounts remaining from funds transferred to the department of corrections and  
28 rehabilitation for deferred maintenance and extraordinary repairs from funding  
29 appropriated from federal funds derived from the state fiscal recovery fund to the office  
30 of management and budget in subsection 10 of section 1 of chapter 550 of the 2021

- 1 Special Session Session Laws and continued pursuant to section 9 of chapter 15 of  
2 the 2023 Session Laws.
- 3 3. The sum of \$131,200,000 appropriated from the strategic investment and  
4 improvements fund for the construction of a new Heart River correctional center in  
5 section 1 of chapter 15 of the 2023 Session Laws.
- 6 4. The sum of \$307,000 appropriated from the strategic investment and improvements  
7 fund for DOCSTARS maintenance in section 1 of chapter 15 of the 2023 Session  
8 Laws.
- 9 5. The sum of \$2,000,000 appropriated from the strategic investment and improvements  
10 fund for information technology needs in section 1 of chapter 15 of the 2023 Session  
11 Laws.