

January 21, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1209

Introduced by

Representatives S. Olson, Frelich, Marschall, Osowski, Rohr, Hoverson, Motschenbacher

Senators Enget, Paulson, Weston

1 A BILL for an Act ~~to provide an appropriation to the attorney general for purposes of conducting~~
2 ~~a foreign adversaries threat assessment;~~ to provide for a legislative management report; ~~and to~~
3 ~~declare an emergency.~~

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

5 **SECTION 1. ~~APPROPRIATION - GENERAL FUND - ATTORNEY~~**

6 **~~GENERAL~~ DEPARTMENT OF EMERGENCY SERVICES - FOREIGN ADVERSARY THREAT**

7 **ASSESSMENT - REPORT - ONE-TIME FUNDING - LEGISLATIVE MANAGEMENT REPORT.**

8 1. ~~For the biennium beginning July 1, 2025, and ending June 30, 2027, there is~~
9 ~~appropriated out of any moneys in the general fund in the state treasury, not otherwise~~
10 ~~appropriated, the sum of \$3,200,000, or so much of the sum as may be necessary, to~~
11 ~~the attorney general for the purpose of contracting with a consultant to perform a~~
12 ~~comprehensive assessment of the state's vulnerabilities relating to security threats~~
13 ~~posed by foreign adversaries. The funding provided in this subsection is considered a~~
14 ~~one-time funding item.~~

15 ~~—2.—~~ The ~~consultant~~ department of emergency services shall:

16 a. Identify sectors and industries most vulnerable to foreign adversarial influence,
17 including critical infrastructure, technology, agriculture, energy, and academia;

18 b. Assess foreign adversarial influence beyond land acquisition, including strategic
19 investments, partnerships, and other forms of economic, educational, and
20 political influence;

- 1 c. Evaluate existing investments and activities to determine compliance with
2 federal, state, and local laws;
3 d. Identify sectors in which foreign adversarial influence is often unmonitored or
4 under reported; and
5 e. Propose broad mitigation strategies relating to identified risks and vulnerabilities
6 to enhance the state's ability to manage foreign adversarial influence while
7 supporting economic growth and security.

8 ~~3.2.~~ By July 1, 2026, the ~~consultant~~department of emergency services shall
9 ~~provide~~produce a written report ~~to the attorney general~~ outlining its findings and
10 recommendations. The report must:

- 11 a. Provide a detailed analysis of the foreign adversary threats and vulnerabilities
12 specific to the state;
13 b. Identify critical risks across sectors, including infrastructure, security, academia,
14 and economic investments;
15 c. Provide sector specific mitigation recommendations designed to reduce
16 vulnerabilities in infrastructure, academic institutions, economic investments, and
17 other prominent sectors in the state; and
18 d. Include a proposal providing for the establishment of a state intelligence unit and
19 the structure, roles, and operational procedures required for continuous
20 monitoring of foreign adversary threats by the state intelligence unit.

21 ~~4.3.~~ Before September 1, 2026, the ~~attorney general~~department of emergency services
22 shall present the ~~findings and~~ recommendations ~~provided~~ in the report under
23 subsection ~~3.2~~, and any proposed legislation necessary to implement the
24 recommendations, to the legislative management. The findings in the report must
25 remain in the exclusive possession and under the control of the department of
26 emergency services and is an exempt record under chapter 44-04.

27 **~~SECTION 2. EMERGENCY.~~** ~~This Act is declared to be an emergency measure.~~