

February 10, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1191

Introduced by

Representatives Warrey, Bosch

Senator Klein

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 entrepreneurship; to provide for a
3 legislative management report; and to provide an appropriation.

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

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

7 **Office of entrepreneurship - Duties - Report.**

8 1. As used in this section:

9 a. "Business" means a corporation, partnership, company, cooperative, sole
10 proprietorship, or other legal entity organized or operating for pecuniary or
11 nonpecuniary gain.

12 b. "Entrepreneur" means an individual who initiates and assumes the financial risk
13 of a business.

14 c. "State agency" means an agency, board, commission, bureau, office,
15 department, institution, and any other state governmental entity. The term
16 excludes the legislative and judicial branches of state government.

17 2. There is created an office of entrepreneurship within the department of commerce.

18 Employees of the office of entrepreneurship report to the commissioner. The office of
19 entrepreneurship shall:

- 1 a. Work to strengthen policies and programs supporting the growth of
2 entrepreneurship in the state, including across demographic segments and
3 geographic areas.
- 4 b. Work with stakeholders and organizations supporting entrepreneurship to:
5 (1) Enhance the learning and skills of entrepreneurs;
6 (2) Provide technical support to entrepreneurs; and
7 (3) Expand access to resources for entrepreneurs.
- 8 c. Serve as a point of contact to assist businesses that have been in operation less
9 than five years, in their interactions with state agencies and, when appropriate,
10 refer the businesses to other state or local agencies that provide assistance to
11 businesses.
- 12 3. A state agency shall cooperate with and assist the office of entrepreneurship in the
13 performance of its duties and functions.
- 14 4. Before August of each even-numbered year, the office of entrepreneurship shall
15 provide a report to the legislative management which includes:
- 16 a. ~~The number and total dollar amount of state contracts awarded to businesses~~
17 ~~that have been in operation less than five years, including a breakdown by~~
18 ~~demographic segments and geographical areas of the state~~A summary of work
19 accomplished in support of growing entrepreneurship in the state;
- 20 b. ~~The percentage of state contracts awarded to businesses that have been in~~
21 ~~operation less than five years compared to the total number of contracts~~
22 ~~awarded~~A summary of events held to drive collaboration with stakeholders and
23 organizations supporting entrepreneurship;
- 24 c. ~~The percentage of the dollar amount of state contracts awarded to businesses~~
25 ~~that have been in operation less than five years compared to the total dollar~~
26 ~~amount of contracts awarded~~number of participating businesses that have been
27 in operation less than five years;
- 28 d. ~~The types of businesses awarded a state contract;~~
- 29 ~~Recommendations for improving access to state contracts for businesses that~~
30 ~~have been in operation less than five years, including those businesses in~~

1 ~~statistically underrepresented demographic segments and geographic areas of~~
2 ~~the state;~~

3 ~~f.~~ Recommendations for improving entrepreneurship in the state, including
4 identifying regional challenges to entrepreneurship; and

5 ~~g.e.~~ Any additional information deemed necessary to provide an accurate depiction of
6 the condition of entrepreneurship in the state.

7 ~~5.~~ ~~The office of entrepreneurship shall encourage five percent of the number of state~~
8 ~~contracts to be awarded to businesses that have been in operation less than five years~~
9 ~~and which have the principal place of the business located in the state.~~

10 ~~6.5.~~ All financial records, files, and communications of the office of entrepreneurship or
11 records containing financial information made or received in accordance with this
12 section are an exempt record under section 44-04-17.1.

13 **SECTION 2. APPROPRIATION - DEPARTMENT OF COMMERCE - OFFICE OF**
14 **ENTREPRENEURSHIP - FULL-TIME EQUIVALENT POSITIONS.** There is appropriated out of
15 any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of
16 \$485,000, or so much of the sum as may be necessary, to the department of commerce for the
17 purpose of providing salaries and benefits for office of entrepreneurship staff, for the biennium
18 beginning July 1, 2025, and ending June 30, 2027. The department of commerce is authorized
19 two full-time equivalent positions to administer the office of entrepreneurship.