

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2396
(Senators Weston, Boehm, Hogue, Paulson)
(Representatives Steiner, Tveit)

AN ACT to amend and reenact section 10-30.5-08 of the North Dakota Century Code, relating to annual audits of the North Dakota development fund; to provide for a performance audit of the North Dakota development fund; to provide for a legislative management report; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 10-30.5-08 of the North Dakota Century Code is amended and reenacted as follows:

10-30.5-08. Annual audit.

~~The board of directors~~state auditor's office may conduct an annual audit of the financial statements of the corporation pursuant to this section. If the state auditor's office does not conduct the audit, the state auditor's office shall contract with a certified public accounting firm to audit annually the financial statements of the corporation in accordance with generally accepted auditing standards. The cost of the audit must be borne by the corporation.

SECTION 2. PERFORMANCE AUDIT - NORTH DAKOTA DEVELOPMENT FUND - REPORT TO LEGISLATIVE AUDIT AND FISCAL REVIEW COMMITTEE - REPORT TO LEGISLATIVE MANAGEMENT.

1. The state auditor's office shall contract with an independent third party for the completion of a performance audit of the North Dakota development fund for the period beginning July 1, 2019, and ending June 30, 2024. The state auditor's office shall receive the final audit report by August 1, 2026.
2. The performance audit must address the economy, efficiency, and effectiveness of the North Dakota development fund by examining internal processes, controls, and results to identify areas for improvement and provide recommendations for corrective actions.
3. After the report is received under subsection 1, the state auditor's office shall present the report at the next meeting of the legislative audit and fiscal review committee. Before September 30, 2026, the state auditor's office also shall present the report to the legislative management.

SECTION 3. APPROPRIATION - PERFORMANCE AUDIT - NORTH DAKOTA DEVELOPMENT FUND - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$250,000, or so much of the sum as may be necessary, to the state auditor's office for the purpose of contracting for a performance audit of the North Dakota development fund, for the biennium beginning July 1, 2025, and ending June 30, 2027. The appropriation provided in this section is considered a one-time funding item.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2396.

Senate Vote: Yeas 44 Nays 3 Absent 0

House Vote: Yeas 90 Nays 3 Absent 1

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State