

FISCAL NOTE
SENATE BILL NO. 2082
LC# 25.8098.01000
01/03/2025
Revised - 01/03/2025

1 - State Fiscal Effect

Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2023-2025 Biennium		2025-2027 Biennium		2027-2029 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$582,300		\$1,164,600
Expenditures				\$291,150		\$582,300
Appropriations				\$291,150		\$582,300

2 - County, City, School District, and Township Fiscal Effect

Identify the fiscal effect on the appropriate political subdivision.

	2023-2025 Biennium	2025-2027 Biennium	2027-2029 Biennium
Counties		\$291,150	\$582,300
Cities			
School Districts			
Townships			

3 - Bill and Fiscal Impact Summary

Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).

The changes proposed would allow the director of the homeland security division to set appropriate fees for the state hazardous chemical fee system, with a maximum fee for a facility to be \$1,250.00. Any fee increase shall be announced a minimum of one year before the effective date.

4 - Fiscal Impact Sections Detail

Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.

NDCC 37-17.1-07.1, Subsection 2.d.(2) would replace the current rate of \$25.00 for each chemical and establish the fee to be levied on a per chemical basis set by the director of homeland security, taking into account any economic conditions, general economy and availability of funds appropriated by the legislature to offset the costs of administering the program.

Subsection 2.d.(3) would change the maximum fee from \$475.00 to be \$1,250.00.
Subsection 2.d.(4) would authorize a late fee to be charged for a facility exempt from other fees within the subdivision if they have a late filing of their report.

When preparing the fiscal note, an estimated rate of \$50.00 per chemical was used and projected to have similar revenue collections for the calendar year 2024. Taking into consideration the minimum of one year notification for any fee increase, the new fees would not be collected until calendar year 2027, so half of the 2025-27 biennium. No late fees were factored into the revenue projections.

5 - Revenues Detail

For information shown under state fiscal effect in 1 or 2, please explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

The changes proposed in SB 2082 pertain to the state hazardous chemicals preparedness and response fund.

The majority of the fees are collected between January and February of each calendar year, with NDCC establishing a due date of March 1st. The projected revenue for 2025-2027 assumes a \$50.00 per chemical fee for calendar year 2027. The revenue collections for January - November 2024 are roughly \$582,300 with a \$25.00/chemical fee, therefore the additional revenue was based on those assumptions.

2025-27 total revenue with current and proposed fee - \$1,746,900 (\$582,300 CY2026 estimate + \$1,164,600 CY2027 estimate).

The additional revenue received from the proposed bill would be \$582,300 (CY 2027 estimate \$1,164,600 – CY 2026 estimate \$582,300).

2027-29 total revenue - \$1,164,600 (\$582,300 for CYs 2028 and 2029 estimates).

6 - Expenditures Detail

For information shown under state fiscal effect in 1 or 2, please explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

The changes proposed in SB 2082 pertain to the state hazardous chemicals preparedness and response fund and would be expended through the Department of Emergency Services Grants budget line.

Per NDCC, the division of homeland security shall transfer to the county hazardous chemicals preparedness and response account one-half of the regular fees collected from the state's hazardous chemicals fees system. Using the estimated revenue noted above, the counties would receive one-half.

$\$582,300 \times 50\% = \$291,150$ grants to counties

$\$1,164,600 \times 50\% = \$582,300$ grants to counties

7 - Appropriations Detail

For information shown under state fiscal effect in 1 or 2, please explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.

The changes proposed in SB 2082 pertain to the state hazardous chemicals preparedness and response fund.

For the 2025-27 biennium, the division estimates needing additional appropriation in the Department of Emergency Services Grants budget line due to the distribution to the counties for one-half of the increased revenue collections.

The proposed increases from this bill were not factored into the appropriation in the executive recommendation.

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