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Title.

Prepared by the Legislative Council staff for Senator Magrum
April 28, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2015

Introduced by

Appropriations Committee

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

	Base Level	Adjustments or Enhancements	Appropriation
Adult services	$265,998,440	$161,089,699	$427,088,139
Youth services	26,853,221	9,480,420	36,333,641
New and vacant FTE pool	0	15,246,375	15,246,375
Total all funds	$292,851,661	$185,816,494	$478,668,155
Less other funds	45,744,746	108,434,000	154,178,746
Total general fund	$247,106,915	$77,382,494	$324,489,409
Full-time equivalent positions	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:

One-Time Funding Description	General Fund	Other Funds	Total
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
County and regional correctional centers contracted operations	0	3,000,000	3,000,000
Total	$17,697,878	$118,645,769	$136,343,647

SECTION 3. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST. The department of corrections and rehabilitation may not spend funds appropriated in the new and

vacant FTE pool line item in section 1 of this Act, but may request the office of management and budget to transfer funds from the new and vacant FTE pool line item to the adult services and youth services line items in accordance with the guidelines and reporting provisions included in House Bill No. 1015, as approved by the sixty-ninth legislative assembly.

SECTION 4. OTHER FUNDS - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The other funds line item in section 1 of this Act includes the sum of $102,356,197 from the strategic investment and improvements fund for one-time projects and programs as follows:

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

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - DIVERSION AND DEFLECTION CENTERS. During the 2025-26 interim, the legislative management shall study the need for diversion and deflection centers in the state. The study must include the appropriate involvement of the state in the planning and establishment of diversion and deflection centers. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the seventieth legislative assembly.

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND REVENUES. Any moneys received by the department of corrections and rehabilitation from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the youth correctional center permanent fund, may be deposited in the department of

corrections and rehabilitation operating fund and expended pursuant to legislative appropriation, for the biennium beginning July 1, 2025, and ending June 30, 2027.

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

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

SECTION 9. EXEMPTION - UNEXPENDED APPROPRIATIONS. The following appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into the biennium beginning July 1, 2025, and ending June 30, 2027:

1. Any amounts remaining from funds transferred to the department of corrections and rehabilitation for deferred maintenance and extraordinary repairs from funding appropriated from the strategic investment and improvements fund to the office of management and budget in section 1 of chapter 640 of the 2023 Special Session Session Laws.
2. Any amounts remaining from funds transferred to the department of corrections and rehabilitation for deferred maintenance and extraordinary repairs from funding appropriated from federal funds derived from the state fiscal recovery fund to the office

of management and budget in subsection 10 of section 1 of chapter 550 of the 2021 Special Session Session Laws and continued pursuant to section 9 of chapter 15 of the 2023 Session Laws.

3. The sum of $131,200,000 appropriated from the strategic investment and improvements fund for the construction of a new Heart River correctional center in section 1 of chapter 15 of the 2023 Session Laws.

4. The sum of $307,000 appropriated from the strategic investment and improvements fund for DOCSTARS maintenance in section 1 of chapter 15 of the 2023 Session Laws.

5. The sum of $2,000,000 appropriated from the strategic investment and improvements fund for information technology needs in section 1 of chapter 15 of the 2023 Session Laws.