Senate Bill (SB) 2406 – Support
September 1, 2026
Special Ad Hoc Policy Committee
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Chairman Klein, Chairman Ruby and Members of the Committee:

My name is Janelle Moos appearing on behalf of AARP North Dakota and our members across the state. AARP appreciates the opportunity to testify in support of Senate Bill (SB) 2406.

As North Dakota considers data centers and other large industrial projects, transparency must remain a cornerstone of public decision-making. Residents deserve to know how proposed projects may affect their communities, utility systems, utility rates, power supplies, water resources, and household budgets.

SB 2406 advances that principle by prohibiting state and local agencies from entering nondisclosure agreements (NDAs) that prevent disclosure of information concerning proposed data centers and industrial projects. The bill ensures that agencies remain accountable to the public they serve and that important decisions are not made behind closed doors.

AARP's interest in this issue is straightforward. Our members, many of whom live on fixed incomes, bear the consequences of decisions affecting electricity infrastructure, utility investments, taxation, land use, and public services. When large projects require new generation, transmission facilities, substations, or other infrastructure, consumers have a right to understand potential impacts before permits and approvals are granted.

Across the country, AARP has worked to ensure that data center development occurs in a manner that is transparent, equitable, and protective of residential customers. State offices in Oklahoma, South Dakota, Florida, Oregon, and elsewhere have supported policies that improve disclosure and protect consumers from bearing costs created by large new electricity users. We have consistently urged regulators and policymakers to make information available to consumers before decisions are finalized.

SB 2406 reflects those same values. It neither prevents economic development nor discourages investment. Instead, it establishes clear expectations that governmental agencies will not agree to conceal information regarding a project's energy demand, water

usage, utility interconnection needs, environmental impacts, or other matters that directly affect public interest.

Transparency promotes better decision-making. It strengthens public confidence, improves accountability, and allows residents, regulators, and elected officials to evaluate the benefits and costs of major developments using complete and accurate information.

For these reasons, AARP North Dakota respectfully urges the Committee to give SB 2406 a favorable recommendation.

Thank you.