Testimony in Support of SB 2406

Prohibiting Agencies from Entering Nondisclosure Agreements Concerning Data Centers

Date: August 31, 2026

Period: August 31, 2026 – August 31, 2027

Chair and members of the committee:

My name is Shawn Greenwood. I reside at 1613 River Dr NE, Mandan, ND 58554.

I strongly support SB 2406, which prohibits state and local agencies from entering into nondisclosure agreements with data center developers.

Public officials serve the people. They should not be bound by secrecy agreements that hide basic information about proposed or operating data centers—such as location, energy and water use, community impacts, or the terms of any incentives or permits. These projects affect ratepayers, local infrastructure, and the environment. Transparency is essential so citizens can participate in decisions that shape their communities.

SB 2406 protects the public's right to know, makes any prohibited NDAs void and unenforceable, and ensures agencies cannot approve projects tied to unlawful secrecy agreements. It strengthens accountability without banning data centers.

I urge a do-pass recommendation. Thank you.

Respectfully submitted,

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