

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### HOUSE BILL NO. 1448

Introduced by

Representatives Christy, Bahl, Hagert, Ista, Nathe, O'Brien, Toman, Warrey, Dockter  
Senators Boschee, Meyer, Davison

1 A BILL for an Act to create and enact a new chapter to title 54 of the North Dakota Century  
2 Code, relating to the advanced technology review committee, and advanced technology  
3 grant review program, ~~and advanced technology grant fund; to provide for a transfer; and to~~  
4 ~~provide an appropriation.~~

#### 5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

6 **SECTION 1.** A new chapter to title 54 of the North Dakota Century Code is created and  
7 enacted as follows:

#### 8 **Definitions.**

9 In this chapter, unless the context otherwise requires:

- 10 1. "Chief information officer" means the chief information officer of the information  
11 technology department.
- 12 2. "Commissioner" means the commissioner of the department of commerce.
- 13 3. "Committee" means the advanced technology review committee.
- 14 4. "Department" means the information technology department ~~of commerce.~~
- 15 5. "Executive director" means the executive director of the Dakota digital academy  
16 administered by the North Dakota university system.
- 17 6. "Vice chancellor for information technology" means the chief information officer and  
18 vice chancellor for information technology of the North Dakota university system.

#### 19 **Advanced technology review committee - Membership - Meetings.**

- 20 1. The advanced technology review committee consists of:

- 1           a. The chief information officer or a designee within the ~~information technology~~  
2           department:
- 3           b. The vice chancellor for information technology or a designee within the North  
4           Dakota university system:
- 5           c. One individual from the private sector with significant information and advanced  
6           technology knowledge, appointed by the governor:
- 7           d. One ~~individual from the private sector with significant information and advanced~~  
8           ~~technology knowledge~~ member of the house of representatives, appointed by the  
9           majority leader of the house of representatives:
- 10          e. One ~~individual from the private sector with significant information and advanced~~  
11          ~~technology knowledge~~ member of the senate, appointed by the majority leader of  
12          the senate; ~~and~~
- 13          f. The commissioner, or a designee within the department of commerce, ~~who shall~~  
14          ~~serve as a nonvoting member of the committee and provide recommendations to~~  
15          ~~the committee regarding grant awards; and~~
- 16          g. The executive director or a designee within the Dakota digital academy  
17          administered by the North Dakota university system.
- 18          2. By July first of each odd-numbered year, the chief information officer and vice  
19          chancellor for information technology shall compile a list of individuals with significant  
20          private sector information and advanced technology knowledge working within the  
21          state to be forwarded to the governor ~~and the majority leaders of the house of~~  
22          ~~representatives and senate.~~ The governor ~~and the majority leaders of the house of~~  
23          ~~representatives and senate~~ must consider the listed individuals for committee  
24          membership appointments.
- 25          3. The chief information officer, vice chancellor for information technology, ~~and~~  
26          commissioner, and executive director are permanent members of the committee. The  
27          term of office of the members of the committee appointed ~~from the private sector~~ by the  
28          governor, majority leader of the house of representatives, and majority leader of the  
29          senate is four years except the initial term of office of the individual appointed by the  
30          majority leader of the senate is three years and the initial term of office of the  
31          individual appointed by the governor is two years. Each term of office commences on



- 1           August first. Members serve at the pleasure of the appointing entity and may be  
2           reappointed for additional terms. By August first of each year, the chairman of the  
3           legislative management shall select one of the appointed members to serve as the  
4           chairman of the committee. The chairman of the committee shall select a vice chair. If  
5           a committee member ceases to qualify as a member of the appointing entity, that  
6           individual's membership on the committee ceases immediately and the appointing  
7           entity shall appoint a new member to the committee for the remainder of the term.
- 8           4. A committee member representing the private sector is entitled to receive  
9           ~~compensation in an amount not exceeding one hundred thirty-five dollars per day and~~  
10           travel and expense reimbursement as provided by law for state officers for attending  
11           meetings of the committee, to be paid by the department within the limits of legislative  
12           appropriations.
- 13           5. The committee shall meet as necessary at the call of the committee chairman to  
14           review ~~and approve grant~~ applications from entrepreneurs, startup companies, and  
15           small businesses that are in the initial phases of advanced technology product  
16           research, development, and innovation ~~and are unable to access financial resources~~  
17           ~~for prototype product development.~~ After review of applications and the technical  
18           merits and feasibility of proposed projects, the committee shall forward  
19           recommendations for funding to applicable state agencies, review boards or  
20           committees, or other entities administering state-sponsored programs that meets the  
21           needs of the applicant and the proposed project.
- 22           **Advanced technology grantreview program - Eligibility - Use of**  
23            **fundsRecommendation guidelines.**
- 24           1. The department shall administer the advanced technology ~~grant~~review program to  
25           provide ~~grants for~~ recommendations for funding from other state-sponsored programs  
26           for activities identified in this chapter. The department shall provide administrative  
27           support for the program, including the drafting of application forms, receiving  
28           applications, reviewing applications for completeness and compliance with committee  
29           policy, and forwarding complete applications to the committee in accordance with the  
30           guidelines established by the committee.

- 1       2. The committee shall establish guidelines for entities to qualify for an advanced  
2       technology grant funding recommendation under this section. ~~Program guidelines~~  
3       ~~relating to ownership~~To receive a recommendation for funding, the applicant must  
4       address if the project will result in the establishment of intellectual property, inventions,  
5       ~~and~~ discoveries ~~must address activities and issues unique~~related to advanced  
6       technologies, or patents, ~~and companies created as a result of an advanced~~  
7       technology grant.
- 8       3. In determining whether to ~~approve an application for grant~~provide a recommendation  
9       for funding to state agencies, review boards or committees, or other entities  
10       administering state-sponsored programs, the committee shall consider the extent to  
11       which the applicant's proposal will support early stage research and development of  
12       advance technologies, promote economic development, and advance the workforce in  
13       the state. The committee shall give priority to applications promoting the advancement  
14       of artificial intelligence, machine learning, quantum computing, and similar research  
15       and development and product innovation proposals. The committee shall consider and  
16       process applications in a timely manner to allow applicants an opportunity to leverage  
17       other funds.
- 18       4. ~~Grant recipients shall use funding awarded under this section to~~To receive a  
19       recommendation for funding from other state-sponsored programs, an applicant must  
20       explain how the proposed project will enhance advance technology product research,  
21       development, and innovation, and to the extent possible, leverage state, federal, and  
22       private sources of funding. ~~An entity receiving a grant under this section may not use~~  
23       ~~the funds for~~Recommendations may not be provided if the proposed project includes  
24       requests for capital or building investments ~~or other activities not identified in this~~  
25       chapter. ~~The funds may not be used for, for administrative costs or, to supplant funding~~  
26       for regular operations of the entity. ~~If an entity awarded a grant no longer conducts its~~  
27       ~~activities in the state, the entity must repay the awarded grant funding to department.~~
- 28       — ~~Advanced technology grant fund.~~
- 29       — ~~The advanced technology grant fund is a special fund in the state treasury administered by~~  
30       ~~the department. Moneys in the fund must be used for providing grants and for the payment of~~  
31       ~~committee and department administrative expenses incurred related to the requirements of this~~



1 ~~chapter, subject to legislative appropriations. Interest earned on moneys in the fund must be~~  
2 ~~credited to the fund, or for other activities not identified in this chapter.~~

3 **Advanced technology grant review program - Postaward monitoring.**

4 Upon completion of work performed from funding provided by awarded as a result of an  
5 advanced technology grant recommendation, the department shall conduct an independent  
6 review of the results. Evaluation criteria may include how the work performed has:

- 7 1. Contributed to development of an advanced technology product or process and  
8 enhanced the ability of a company to make investments in the state, or otherwise  
9 enticed a company to invest in or move to the state;
- 10 2. Promoted economic development of the public or private sectors in the state;
- 11 3. Led to a patent or research that is commercially viable; or
- 12 4. Positively affected workforce in the state.

13 ~~—SECTION 2. TRANSFER – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND TO~~  
14 ~~ADVANCED TECHNOLOGY GRANT FUND. The office of management and budget shall~~  
15 ~~transfer \$5,000,000 from the strategic investment and improvements fund to the advanced-~~  
16 ~~technology grant fund during the biennium beginning July 1, 2025, and ending June 30, 2027.~~

17 ~~—SECTION 3. APPROPRIATION – DEPARTMENT OF COMMERCE – ADVANCED-~~  
18 ~~TECHNOLOGY GRANT PROGRAM – ONE-TIME FUNDING. There is appropriated out of any-~~  
19 ~~moneys in the advanced technology grant fund in the state treasury, not otherwise appropriated,~~  
20 ~~the sum of \$5,000,000, or so much of the sum as may be necessary, to the department of~~  
21 ~~commerce for the purpose of the advanced technology grant program, for the biennium-~~  
22 ~~beginning July 1, 2025, and ending June 30, 2027. This funding is considered a one-time-~~  
23 ~~funding item.~~

