

March 26, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

ENGROSSED SENATE BILL NO. 2022

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the commission on
2 legal counsel for indigents; ~~and to create and enact a new subsection to section 54-44.3-20 of~~
3 the North Dakota Century Code, relating to categories of positions in the state service; and to
4 provide for a legislative management study.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
7 as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from other funds derived from special funds and
9 federal funds, to the commission on legal counsel for indigents for the purpose of defraying the
10 expenses of the commission on legal counsel for indigents, for the biennium beginning July 1,
11 2025, and ending June 30, 2027, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
14 Commission on legal counsel	\$23,022,372	\$2,766,753	\$25,789,125
15 — for indigents			
16 <u>Commission on legal counsel</u>	<u>\$23,022,372</u>	<u>\$3,576,753</u>	<u>\$26,599,125</u>
17 <u>for indigents</u>			
18 New and vacant FTE pool	<u>0</u>	<u>554,757</u>	<u>554,757</u>
19 Total all funds	\$23,022,372	\$3,321,510	\$26,343,882

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1	Total all funds	\$23,022,372	\$4,131,510	\$27,153,882
2	Less other funds	<u>2,023,067</u>	<u>26,149</u>	<u>2,049,216</u>
3	Total general fund	\$20,999,305	\$3,295,361	\$24,294,666
4	Total general fund	\$20,999,305	\$4,105,361	\$25,104,666
5	Full-time equivalent positions	41.00	2.00	43.00

6 **SECTION 2. NEW AND VACANT FTE POOL - LIMITATION - TRANSFER REQUEST.** The
7 commission on legal counsel for indigents may not spend funds appropriated in the new and
8 vacant FTE pool line item in section 1 of this Act, but may request the office of management and
9 budget to transfer funds from the new and vacant FTE pool line item to the commission on legal
10 counsel for indigents line item in accordance with the guidelines and reporting provisions
11 included in House Bill No. 1015, as approved by the sixty-ninth legislative assembly.

12 **SECTION 3.** A new subsection to section 54-44.3-20 of the North Dakota Century Code is
13 created and enacted as follows:

14 Attorneys employed by the commission on legal counsel for indigents.

15 **SECTION 4. LEGISLATIVE MANAGEMENT STUDY - COMMISSION ON LEGAL**
16 **COUNSEL FOR INDIGENTS - NORTH DAKOTA PUBLIC DEFENDERS OFFICE.** During the
17 2025-26 interim, the legislative management shall consider studying the potential impacts of
18 establishing the North Dakota public defenders office as an administrative agency under the
19 authority of the commission on legal counsel for indigents. The legislative management shall
20 report its findings and recommendations, together with any legislation required to implement the
21 recommendations, to the seventieth legislative assembly.

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2022 - Comm. on Legal Counsel for Indigents - House Action

	Base Budget	Senate Version	House Changes	House Version
New and vacant FTE pool Comm. on Legal Counsel for Indigents		\$554,757		\$554,757
	\$23,022,372	25,789,125	\$810,000	26,599,125
Total all funds	\$23,022,372	\$26,343,882	\$810,000	\$27,153,882
Less estimated income	2,023,067	2,049,216	0	2,049,216
General fund	\$20,999,305	\$24,294,666	\$810,000	\$25,104,666
FTE	41.00	43.00	0.00	43.00

Department 188 - Comm. on Legal Counsel for Indigents - Detail of House Changes

	Adds Funding to Replace Special Funds ¹	Adjusts Funding for Contract Attorneys and Employee Compensation ²	Total House Changes
New and vacant FTE pool Comm. on Legal Counsel for Indigents	\$310,000	\$500,000	\$810,000
Total all funds	\$310,000	\$500,000	\$810,000
Less estimated income	0	0	0
General fund	\$310,000	\$500,000	\$810,000
FTE	0.00	0.00	0.00

¹ Funding of \$310,000 from the general fund is added to replace special funds revenue not anticipated to be collected.

² Funding of \$500,000 from the general fund is added to provide a total of \$2.5 million to increase the contract rate paid to attorneys and to implement a new employee compensation strategy.

This amendment also provides for a Legislative Management study of the potential impact of establishing the North Dakota Public Defenders Office as an administrative agency under the authority of the Commission on Legal Counsel for Indigents.