

SECTION XX. TRANSFER - EXEMPTION - FULL-TIME EQUIVALENT POSITION

ADJUSTMENTS. Notwithstanding any other provisions of law, the insurance commissioner may increase or decrease authorized full-time equivalent positions as needed, subject to availability of funds, during the biennium beginning July 1, 2025, and ending June 30, 2027. The insurance commissioner shall report to the office of management and budget and legislative council any adjustments made pursuant to this section.

SECTION XX. TRANSFER – DRUG PRICING FUND TO INSURANCE REGULATORY TRUST FUND. The office of management and budget shall transfer any balance in the drug pricing fund on the effective date of this Act to the insurance regulatory trust fund.

SECTION XX. AMENDMENT – Continuing appropriation. Section 26.1-01-07.1 of the North Dakota Century Code is amended and reenacted as follows:

26.1-01-07.1. Insurance regulatory trust fund established.

1. There is hereby created a trust fund designated "insurance regulatory trust fund". The following amounts must be deposited in the insurance regulatory trust fund:

a. All sums received under section 26.1-01-07.

b. All sums received under section 26.1-01-07.2 from the insurance regulatory trust fund investments.

c. All sums received under 26.1-36.10.

d. All retaliatory fees imposed upon persons by the insurance department as authorized by law.

e. All administrative penalties, fines, and fees collected by the commissioner from any person subject to this title.

f. Any other amounts provided by legislative appropriation.

2. The moneys so received and deposited in the insurance regulatory trust fund are reserved for use by the insurance department to defray the expenses of the

department in the discharge of its administrative and regulatory powers and duties as

~~prescribed by law and are provided on a continuing appropriation basis, subject to the applicable laws relating to the appropriations of state funds and to the deposit and expenditure of state moneys. The insurance department is responsible for the proper expenditure of these moneys as provided by law.~~

~~3. Except as otherwise provided by law, after the fiscal year has been closed and all expenses relating to the fiscal year have been accounted for, the office of management and budget shall transfer any fund balance remaining in the insurance regulatory trust fund that exceeds one million five hundred thousand dollars to the general fund.~~

SECTION XX. REPEAL. Section 26.1-36.10-07 of the North Dakota Century Code is repealed.

SECTION XX. AMENDMENT. Section 26.1-36.10-06 of the North Dakota Century Code is amended and reacted as follows:

26.1-36.10-06. Rulemaking - Forms - Services – Records - Fees.

1. The commissioner may adopt rules to implement this chapter.
2. In consultation with the board, the commissioner shall develop forms that must be used for reporting required under this chapter.
3. The commissioner may contract for services to implement this chapter.
4. A report received by the commissioner is an exempt record as defined by section 44-04-17.1; however, as provided under section 44-04-18.4 any portion of a report which discloses trade secret, proprietary, commercial, or financial information is confidential if it is of a privileged nature and has not been previously publicly disclosed.
5. The board shall deposit up to six hundred dollars of every wholesaler license fee and every virtual wholesaler license fee collected by the board under section 43-15.3-12 to the insurance regulatory trust fund.