Adopted by the Conference Committee

April 21, 2023

PROPOSED AMENDMENTS TO SENATE BILL NO. 2334

That the House recede from its amendments as printed on pages 968 and 969 of the Senate Journal and pages 1150 and 1151 of the House Journal and that Senate Bill No. 2334 be amended as follows:

Page 1, line 2, replace "local revenue loss reimbursement" with "large facility development"

Page 1, line 4, after "plant" insert and "and allocation of sales tax revenue"

Page 1, line 5, replace "and to provide an effective date" with "to provide for a legislative management report; and to provide an expiration date"

Page 1, line 18, after "57-39.2-26.2" insert ", 57-39.2-26.3"

Page 2, line 1, replace "**Local revenue loss reimbursement**" with "**Large facility development**"

Page 2, line 1, after "**appropriation**" insert "**- Report**"

Page 2, line 2, replace "local revenue loss reimbursement" with "large facility development"

Page 2, line 7, replace "57-29.2-26.1 and" with "57-39.2-26.1,"

Page 2, line 7, after "57-39.2-26.2" insert ", and 57-39.2-26.3"

Page 2, line 9, replace "local revenue loss reimbursement" with "large facility development"

Page 2, line 13, replace "The" with "Within thirty days after construction begins on the large facility, the"

Page 2, line 14, replace the first "the" with "up to two billion dollars of"

Page 2, line 14, replace "value" with "cost"

Page 2, line 14, after "property" insert "eligible for a tax exemption under section 57-39.2-04.15"

Page 2, line 14, remove "new"

Page 2, line 15, replace "infrastructure" with "the large facility"

Page 2, line 17, after the underscored semicolon insert "and"

Page 2, line 18, remove "The estimated total cost for the new infrastructure is at least five hundred million"

Page 2, remove lines 19 through 21

Page 2, line 22, replace "under chapter 57-40.2" with "The county in which the large facility is located has a hub city and received at least thirty million dollars of oil and gas gross production tax revenue allocations under section 57-51-15 from September 1, 2021, through August 31, 2022"

Page 2, line 23, after "4." insert "To qualify for the distribution under subsection 3, the large facility must:

a. Be a new fertilizer or chemical processing plant that is eligible for a tax exemption under section 57-39.2-04.15;

b. Begin construction after July 1, 2023; and

c. Have an estimated total cost of at least one billion dollars.

5. A county or city may receive only one distribution under subsection 3.

6."

Page 2, line 23, replace "new infrastructure" with "large facility"

Page 2, line 25, replace "5." with "7."

Page 2, line 25, replace "tax commissioner may request" with "owner of the large facility shall provide"

Page 2, line 25, remove "from the owner of"

Page 2, line 26, replace "the new infrastructure" with "to the tax commissioner"

Page 2, line 26, replace "value" with "cost"

Page 2, line 27, replace "new infrastructure" with "large facility"

Page 2, after line 27, insert:

"8. If a county or city receives a distribution from the fund, the county or city shall provide at least one report to the legislative management on the use of the funding. The report must include the amount of funding received and spent by the county or city, including an itemized list of the amounts spent and a description of how the funding was used by the county or city."

Page 2, replace line 28, with:

"**SECTION 4. EXPIRATION DATE.** Sections 2 and 3 of this Act are effective through June 30, 2027, and after that date are ineffective."

Renumber accordingly