

Introduced by

Representatives Mock, Hagert, Ista, Kempenich, Kreidt, Schatz

Senators Cleary, Meyer

1 A concurrent resolution to amend and reenact section 26 of article X of the Constitution of North
2 Dakota, relating to depositing in the legacy fund a portion of royalties or other payments related
3 to intellectual property developed using legacy fund earnings.

4 **STATEMENT OF INTENT**

5 This measure would require a portion of the royalties or other payments related to intellectual
6 property developed using legacy fund earnings to be deposited in the legacy fund.

7 **BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE**
8 **SENATE CONCURRING THEREIN:**

9 That the following proposed amendment to section 26 of article X of the Constitution of
10 North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the
11 general election held in 2024, in accordance with section 16 of article IV of the Constitution of
12 North Dakota.

13 **SECTION 1. AMENDMENT.** Section 26 of article X of the Constitution of North Dakota is
14 amended and reenacted as follows:

15 **Section 26.**

- 16 1. Thirty percent of total revenue derived from taxes on oil and gas production or
17 extraction must be transferred by the state treasurer to a special fund in the state
18 treasury known as the legacy fund. A portion of the royalties or other payments related
19 to intellectual property developed using funds derived from earnings of the legacy fund
20 must be deposited in the legacy fund as provided by law. The legislative assembly
21 may transfer funds from any source into the legacy fund and such transfers become
22 part of the principal of the legacy fund.
- 23 2. The principal and earnings of the legacy fund may ~~not~~ be expended ~~until after~~
24 ~~June 30, 2017, and an~~ An expenditure of principal ~~after that date~~ requires a vote of at
25 least two-thirds of the members elected to each house of the legislative assembly. Not

1 more than fifteen percent of the principal of the legacy fund may be expended during a
2 biennium.

3 3. Statutory programs, in existence as a result of legislation enacted through 2009,
4 providing for impact grants, direct revenue allocations to political subdivisions, and
5 deposits in the oil and gas research fund must remain in effect but the legislative
6 assembly may adjust statutory allocations for those purposes.

7 4. The state investment board shall invest the principal of the North Dakota legacy fund.
8 The state treasurer shall transfer earnings of the North Dakota legacy fund ~~accruing~~
9 ~~after June 30, 2017,~~ to the state general fund at the end of each biennium.