

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1619

Introduced by

Representatives O'Brien, Mitskog, Nelson, Stemen

Senators Dever, Klein

In place of amendment (25.1332.02005) adopted by the Senate, Engrossed House Bill No. 1619 is amended by amendment (25.1332.02008) as follows:

1 A BILL for an Act to create and enact a new section to chapter 6-09 of the North Dakota Century
2 Code, relating to a long-term care facility infrastructure loan ~~fund; to provide for a transfer; and~~
3 ~~to provide for a continuing appropriation~~ program; to amend and reenact subsection 3 of section
4 6-09-47 of the North Dakota Century Code, relating to the medical facility infrastructure loan
5 fund; and to provide an appropriation.

6 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

7 **SECTION 1.** A new section to chapter 6-09 of the North Dakota Century Code is created
8 and enacted as follows:

9 **Long-term care facility infrastructure loan** ~~fund~~ ~~Continuing appropriation~~ **program.**

10 1. The Bank of North Dakota shall administer a loan program to provide loans to nursing
11 and basic care facilities for renovation projects or the construction of new facilities. A
12 construction project may include a land purchase and the purchase, lease, erection, or
13 improvement of any structure or facility to the extent the governing body of the nursing
14 or basic care facility has the authority to authorize such activity.

15 2. ~~The long-term care facility infrastructure loan fund is a special fund maintained in the~~
16 ~~state treasury from which the Bank shall provide loans under this section. The fund~~
17 ~~consists of revenues transferred under legislative authorization, interest upon moneys~~
18 ~~in the fund, and collections of interest and principal on loans made from the fund. All~~
19 ~~moneys in the fund are appropriated on a continuing basis to the Bank for the purpose~~
20 ~~of providing loans under this section.~~

~~3.~~ The governing body of a nursing or basic care facility may submit an application to the Bank for a loan. The application must:

- a. Detail the proposed construction project;
- b. Demonstrate the need and long-term viability of the project; and
- c. Include financial information the Bank determines appropriate to verify eligibility.

~~4.3.~~ A loan approved under this section:

- a. May not exceed fifty percent of project costs;
- b. May not exceed ten million dollars for a project;
- c. Must have an interest rate that does not exceed two percent; and
- d. Must have a repayment schedule of no longer than ~~thirty~~twenty years.

~~5.4.~~ A recipient of a loan under this section shall complete the financed construction project within twenty-four months of the approval of the loan. Failure to comply with this subsection may result in forfeiture of the entire loan received under this section.

~~6.5.~~ The Bank shall deposit in the strategic investment and improvements fund all principal and interest paid on the loans made from the fund. The Bank may deduct from interest payments a service fee for costs of administering the loan program. ~~The fund must be audited annually pursuant to section 6-09-29, and the cost of the audit and any other actual costs incurred by the Bank on behalf of the fund must be paid from the fund, not to exceed one-half of one percent of the outstanding balance of the loans.~~

~~SECTION 3. TRANSFER -- STRATEGIC INVESTMENT AND IMPROVEMENTS FUND -- LONG-TERM CARE FACILITY INFRASTRUCTURE LOAN FUND.~~ The office of management and budget shall transfer the sum of \$50,000,000 from the strategic investment and improvements fund to the long-term care facility infrastructure loan fund during the biennium beginning July 1, 2025, and ending June 30, 2027.

SECTION 2. AMENDMENT. Subsection 3 of section 6-09-47 of the North Dakota Century Code is amended and reenacted as follows:

3. A loan provided under this section:

- a. May not exceed the lesser of fifteen million dollars or seventy-five percent of the actual cost of the project;
- b. Must have an interest rate equal to ~~one~~two percent; and
- c. Must provide a repayment schedule of no longer than twenty-five years.

1 **SECTION 3. APPROPRIATION - STRATEGIC INVESTMENT AND IMPROVEMENTS**
2 **FUND - LONG-TERM CARE FACILITY INFRASTRUCTURE LOAN PROGRAM.** There is
3 appropriated out of any moneys in the strategic investment and improvements fund, not
4 otherwise appropriated, the sum of \$15,000,000, or so much of the sum as may be necessary,
5 to the Bank of North Dakota for the purpose of providing loans under the long-term care facility
6 infrastructure loan program pursuant to section 1 of this Act, for the biennium beginning July 1,
7 2025, and ending June 30, 2027.