

Sixty-ninth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2397

Introduced by

Senators Enget, Sorvaag, Sickler

Representative Kempenich

1 A BILL for an Act to amend and reenact subdivision f of subsection 4 of section 24-02-37.3,
2 subsection 4 of section 54-27-19.4, subdivision c of subsection 4 of section 57-51.1-07.7, and
3 subdivision b of subsection 6 of section 57-51.1-07.8 of the North Dakota Century Code,
4 relating to the definition of non-oil-producing county for purposes of the flexible transportation
5 fund, legacy earnings township aid fund, municipal infrastructure fund, and county and township
6 infrastructure fund; to provide an effective date; and to declare an emergency.

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

8 **SECTION 1. AMENDMENT.** Subdivision f of subsection 4 of section 24-02-37.3 of the North
9 Dakota Century Code is amended and reenacted as follows:

10 f. For purposes of this subsection, "non-oil-producing county" means a county that
11 ~~received no allocation of funding or a total allocation of less than five million~~
12 ~~dollars under subsection 2 of section 57-51-15 in~~had average annual oil
13 production of fewer than ten million barrels based on the average annual oil
14 production in the three-year period ending with the most recently completed
15 even-numbered fiscal year before the start of each biennium.

16 **SECTION 2. AMENDMENT.** Subsection 4 of section 54-27-19.4 of the North Dakota
17 Century Code is amended and reenacted as follows:

18 4. For purposes of this section, "non-oil-producing county" means a county that ~~received~~
19 ~~no allocation of funding or a total allocation of less than five million dollars under~~
20 ~~subsection 2 of section 57-51-15 in~~had average annual oil production of fewer than ten
21 million barrels based on the average annual oil production in the three-year period
22 ending with the most recently completed even-numbered fiscal year before the start of
23 each biennium.

1 **SECTION 3. AMENDMENT.** Subdivision c of subsection 4 of section 57-51.1-07.7 of the
2 North Dakota Century Code is amended and reenacted as follows:

- 3 c. "Non-oil-producing county" means a county that ~~received no allocation of funding~~
4 ~~or a total allocation of less than five million dollars under subsection 2 of section~~
5 ~~57-51-15 in~~ had average annual oil production of fewer than ten million barrels
6 based on the average annual oil production in the three-year period ending with
7 the most recently completed even-numbered fiscal year before the start of each
8 biennium.

9 **SECTION 4. AMENDMENT.** Subdivision b of subsection 6 of section 57-51.1-07.8 of the
10 North Dakota Century Code is amended and reenacted as follows:

- 11 b. "Non-oil-producing county" means a county that ~~received no allocation of funding~~
12 ~~or a total allocation of less than five million dollars under subsection 2 of section~~
13 ~~57-51-15 in~~ had average annual oil production of fewer than ten million barrels
14 based on the average annual oil production in the three-year period ending with
15 the most recently completed even-numbered fiscal year before the start of each
16 biennium.

17 **SECTION 5. EFFECTIVE DATE.** This Act becomes effective on July 1, 2025.

18 **SECTION 6. EMERGENCY.** This Act is declared to be an emergency measure.