

April 3, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
SECOND ENGROSSMENT**

REENGROSSED SENATE BILL NO. 2396

Introduced by

Senators Weston, Boehm, Hogue, Paulson

Representatives Steiner, Tveit

In place of the amendments (25.1372.04002) adopted by the House, Reengrossed Senate Bill No. 2396 is amended by amendment (25.1372.04003) as follows:

1 A BILL for an Act to provide for a performance audit of the ~~department of commerce and the~~
2 North Dakota development fund; ~~and~~ to provide for a legislative audit and fiscal review
3 committee report; to provide an appropriation; and to declare an emergency.

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

5 **SECTION 1. PERFORMANCE AUDIT - ~~DEPARTMENT OF COMMERCE AND~~ NORTH**
6 **DAKOTA DEVELOPMENT FUND - LEGISLATIVE AUDIT AND FISCAL REVIEW**
7 **COMMITTEE REPORT.** The legislative management shall contract with an ~~out-of-state and~~
8 independent third party for the completion of a performance audit of the ~~department of~~
9 ~~commerce and the~~ North Dakota development fund, for the biennium period beginning ~~July 1,~~
10 2025, with the effective date of this Act, and ending June 30, 2027. ~~The chairman of the~~
11 ~~legislative management shall arrange for the audit and by August 30, 2026, receive the audit~~
12 ~~report.~~ The performance audit must address the economy, efficiency, and effectiveness of the
13 economic development programs ~~at the department of commerce and~~ of the North Dakota
14 development fund relative to industry best practices criteria for the years 2020 to 2024 by
15 examining internal processes, controls, and results to identify areas for improvement and
16 provide recommendations for corrective actions. A representative of the North Dakota
17 development fund shall report the audit findings to the legislative audit and fiscal review
18 committee before September 1, 2026.

19 **SECTION 2. APPROPRIATION - LEGISLATIVE MANAGEMENT COUNCIL -**
20 **PERFORMANCE AUDIT - ~~DEPARTMENT OF COMMERCE AND~~ NORTH DAKOTA**

1 **DEVELOPMENT FUND.** There is appropriated out of any moneys in the general fund in the
2 state treasury, not otherwise appropriated, the sum of ~~\$200,000~~\$250,000, or so much of the
3 sum as may be necessary, to the legislative ~~management~~council for the purpose of contracting
4 for a performance audit of the ~~department of commerce and the~~ North Dakota development
5 fund, for the ~~biennium~~period beginning ~~July 1, 2025,~~with the effective date of this Act. and
6 ending June 30, 2027.

7 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.