

**FISCAL NOTE**  
**SENATE BILL NO. 2109**  
**LC# 25.8012.03000**  
**03/26/2025**

**1 - State Fiscal Effect**

*Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2023-2025 Biennium		2025-2027 Biennium		2027-2029 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

**2 - County, City, School District, and Township Fiscal Effect**

*Identify the fiscal effect on the appropriate political subdivision.*

	2023-2025 Biennium	2025-2027 Biennium	2027-2029 Biennium
Counties			
Cities			
School Districts			
Townships			

**3 - Bill and Fiscal Impact Summary**

*Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

See attached

**4 - Fiscal Impact Sections Detail**

*Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

See attached

## **5 - Revenues Detail**

*For information shown under state fiscal effect in 1 or 2, please explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

## **6 - Expenditures Detail**

*For information shown under state fiscal effect in 1 or 2, please explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

## **7 - Appropriations Detail**

*For information shown under state fiscal effect in 1 or 2, please explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

## **Contact Information**

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**Date Prepared:** 03/26/2025

**WORKFORCE SAFETY & INSURANCE**  
**2025 LEGISLATION**  
**SUMMARY OF ACTUARIAL INFORMATION**

**BILL NO:** Engrossed with House Amendments SB 2109

**BILL DESCRIPTION:** WSI Injury Services Bill

**SUMMARY OF ACTUARIAL INFORMATION:** Workforce Safety & Insurance, together with its consulting actuaries, The Burkhalter Group, has reviewed the legislation proposed in this bill in conformance with Section 54-03-25 of the North Dakota Century Code.

The amended legislation:

- Amends the definition of disability to reflect a loss of actual earnings vs. a loss of earnings capacity in order to qualify for disability benefits;
- Provides WSI the ability to transmit claims related forms, notices of decisions, and administrative orders electronically;
- Increases the lifetime maximum for death benefits from \$300,000 to \$400,000;
- Increases the maximum scholarship amount payable per applicant from \$10,000 per year to \$12,500 per year; and
- Clarifies the definition of compensable mental or psychological conditions by incorporating into the definition the clarifying administrative rule language which was recently invalidated by the North Dakota Supreme Court.

**FISCAL IMPACT:**

The provision increasing the death benefit cap from \$300,000 to \$400,000 will result in a premium rate level increase of less than 1.0%. It is anticipated that the remaining provisions of this proposed bill will not have a material impact on statewide rate and reserve levels.

The proposed legislation will ensure continuity in the administration of compensable mental or psychological conditions. Absent the change, a lack of clarity emerges in how to properly adjudicate these types of claims. This clarity will otherwise develop through future litigation which will likely increase system costs.

**DATE:** March 26, 2025