

Department of Corrections and Rehabilitation
 Budget No. 530
 Senate Bill No. 2015; House Bill No. 1425

	FTE Positions	General Fund	Other Funds	Total
2025-27 legislative appropriations	965.29	\$344,370,374	\$148,711,724	\$493,082,098
2025-27 base budget	929.79	247,106,915	45,744,746	292,851,661
Legislative increase (decrease) to base budget	35.50	\$97,263,459	\$102,966,978	\$200,230,437

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2025-27 legislative appropriations	\$315,742,286	\$28,628,088	\$344,370,374
2023-25 legislative appropriations ¹	247,106,915	25,212,454	272,319,369
2025-27 legislative increase (decrease) to 2023-25 appropriations	\$68,635,371	\$3,415,634	\$72,051,005
Percentage increase (decrease) to 2023-25 appropriations	27.8%	13.5%	26.5%

¹The 2023-25 general fund appropriation has been increased by \$11,500,000 for a deficiency appropriation in House Bill No. 1024 relating to excess inmate population costs.

SUMMARY OF LEGISLATIVE CHANGES TO THE BASE BUDGET AND MAJOR FUNDING ITEMS
Changes to Base Budget

	FTE Positions	General Fund	Other Funds	Total
The legislative action:				
Added funding to provide employee salary increases of 3 percent on July 1, 2025, and 3 percent on July 1, 2026		\$6,615,655	\$273,756	\$6,889,411
Added funding for employee health insurance premiums to reflect a revised premium estimate of \$1,893 per month		5,188,409	229,614	5,418,023
Added funding to replace the 2023-25 biennium new and vacant FTE funding pool, including \$2,604,277 for new positions and \$11,400,825 for vacant positions		13,436,071	569,031	14,005,102
Added new FTE Heart River Correctional Center (HRCC) positions and related operating funding, including \$36,742 of one-time funding	6.00	426,215		426,215

Added new FTE Missouri River Correctional Center (MRCC) positions and related operating funding, including \$121,136 of one-time funding	10.00	2,031,261		2,031,261
Added new FTE pretrial services positions and related operating funding, including \$40,000 of one-time funding	3.00	754,765		754,765
Added new FTE county and regional correctional centers positions and related operating funding	9.50	3,912,251		3,912,251
Converted temporary positions to FTE positions, including 2 community corrections positions, 3 education services positions, and 1 maintenance supervisor position	6.00	192,349		192,349
Transferred \$4,814,119 for 34.50 new FTE positions from the adult services line item to the new and vacant FTE pool line item and reduced the amount to \$4,332,707 resulting in the savings as shown		(481,412)		(481,412)
Transferred \$15,593,554 for estimated savings from vacant FTE positions from the adult services and youth services line items to the new and vacant FTE pool line item and reduced the amount to \$10,915,489, resulting in savings as shown		(4,496,200)	(181,865)	(4,678,065)
Added funding for a competitive market salary equity		6,528,187		6,528,187
Added funding for educator salaries to comply with the teachers composite schedule		358,463		358,463
Added funding for correctional officers participation in the public safety retirement plan		645,000		645,000
Added funding for increased inmate wage		404,472		404,472
Added funding for inflationary costs, including utilities, food, clothing, medications, and medical costs		8,206,230		8,206,230
Added ongoing funding to continue one-time funding appropriated for the 2023-25 biennium for the contract with the Dakota Women's Correctional and Rehabilitation Center		2,450,000		2,450,000
Added funding for increased transitional facility costs		8,401,542		8,401,542
Added funding for a women's treatment unit		2,087,800		2,087,800
Added funding for payments to county and regional jails for overflow housing and programming needs, including \$28,430,210 of one-time funding		29,476,648		29,476,648
Added funding for information technology (IT) data processing costs		2,500,000		2,500,000
Added funding for medical IT modules		400,000		400,000

Adjusted funding to eliminate supervision fees	1,500,000	(1,500,000)	0
Added funding for a 25-bed re-entry center in the northwest region of the state	1,600,000		1,600,000
Added funding for correctional facility program grants	1,500,000		1,500,000
Adjusted base budget funding	3,625,753	(9,602,305)	(5,976,552)
Added one-time funding from the strategic investment and improvements fund (SIIF) to complete the HRCC facility		35,635,000	35,635,000
Added one-time funding from SIIF for a MRCC temporary housing unit		8,032,757	8,032,757
Added one-time funding from SIIF for deferred maintenance and extraordinary repairs		13,006,609	13,006,609
Added one-time funding from SIIF for a James River Correctional Center (JRCC) facility study		750,000	750,000
Added one-time funding from SIIF for planning and design of a new MRCC minimum security male facility		20,000,000	20,000,000
Added one-time funding from SIIF for software systems and technology upgrades		9,750,000	9,750,000
Added one-time funding , including \$989,891 from federal funds or a Bank of North Dakota line of credit and \$1,089,809 from SIIF, for equipment, including a body scanner, medical equipment, dental equipment, body cameras, tasers, ballistic vests, kitchen equipment, and laundry equipment		2,079,700	2,079,700
Added one-time funding from SIIF to replace federal funds for victims of crime grants		7,000,000	7,000,000
Added one-time funding from SIIF to demolish the JRCC maintenance building		570,000	570,000
Added one-time funding from SIIF and an FTE position for a prosecution-led diversion supervision pilot program (House Bill No. 1425)	1.00	1,000,000	1,000,000
Added one-time funding from SIIF for consulting services for a cost-savings study relating to pretrial service programs (House Bill No. 1425)		55,000	55,000
Added one-time funding from federal funds for mental health assessments and services		550,000	550,000
Added one-time funding from federal funds for workforce training and education		1,027,500	1,027,500

Added one-time funding from special funds for Rough Rider Industries equipment and supplies			13,722,181	13,722,181
Total	35.50	\$97,263,459	\$102,966,978	\$200,230,437

FTE Changes

The Legislative Assembly approved 965.29 FTE positions for the Department of Corrections and Rehabilitation (DOCR) for the 2025-27 biennium, an increase of 35.50 FTE positions from the 2023-25 biennium authorized amount of 929.79 FTE positions. The Legislative Assembly added 35.50 FTE positions as follows:

- 6 FTE HRCC positions;
- 10 FTE MRCC temporary housing unit positions;
- 3 FTE pretrial services positions;
- 9.50 FTE county and regional correctional centers positions;
- 6 FTE converted from temporary positions, including 2 community corrections positions, 3 education services positions, and 1 maintenance supervisor position; and
- 1 FTE prosecution-led diversion supervision pilot program position.

One-Time Funding

The following is a summary of one-time funding items for DOCR for the 2025-27 biennium:

	General Fund	Other Funds	Total Funds
HRCC project (SIIF)		\$35,635,000	\$35,635,000
HRCC new FTE positions and startup costs	\$36,742		36,742
MRCC temporary housing unit (SIIF)		8,032,757	8,032,757
MRCC temporary housing unit new FTE positions and startup costs	121,136		121,136
MRCC new facility planning and design (SIIF)		20,000,000	20,000,000
JRCC facility study (SIIF)		750,000	750,000
JRCC maintenance building demolition (SIIF)		570,000	570,000
Payments to county and regional jails for overflow housing and programming needs	28,430,210		28,430,210
Deferred maintenance and extraordinary repairs (SIIF)		13,006,609	13,006,609
Software systems and technology upgrades (SIIF)		9,750,000	9,750,000
Victims of crime grants (SIIF)		7,000,000	7,000,000
Pretrial services new FTE positions	40,000		40,000
Prosecution-led diversion supervision pilot program (SIIF) (House Bill No. 1425)		1,000,000	1,000,000
Consulting services for a cost-savings study relating to pretrial services (SIIF) (House Bill No. 1425)		55,000	55,000
Equipment, including a body scanner and dental, medical, kitchen, and laundry equipment (SIIF)		1,089,809	1,089,809
Equipment, including body cameras, tasers, and ballistic vests (federal funds or a Bank line of credit)		989,891	989,891
Mental health assessments and services (federal funds)		550,000	550,000
Workforce training and education (federal funds)		1,027,500	1,027,500
Rough Rider Industries equipment and supplies (special funds)		13,722,181	13,722,181
Total	\$28,628,088	\$113,178,747	\$141,806,835

Dakota Women's Correctional and Rehabilitation Center

The Legislative Assembly provided \$13.75 million from the general fund for a contract to house female inmates at the Dakota Women's Correctional and Rehabilitation Center in New England, the same amount as the 2023-25 biennium.

Deficiency Appropriation - 2023-25 Biennium

The Legislative Assembly, in House Bill No. 1024, approved a deficiency appropriation of \$11.5 million from the general fund to DOCR for costs relating to excess inmate population.

Inmate Population

The following table summarizes the 2025-27 biennium inmate population projections used to develop the legislative appropriation:

	Male	Female	Total
Fiscal year 2026			
July	1,907	284	2,191
August	1,912	284	2,196
September	1,918	285	2,203
October	1,924	286	2,210
November	1,930	286	2,216
December	1,936	287	2,223
January	1,941	288	2,229
February	1,947	289	2,236
March	1,953	290	2,243
April	1,959	291	2,250
May	1,965	292	2,257
June	1,971	293	2,264
Fiscal year 2027			
July	1,976	294	2,270
August	1,982	294	2,276
September	1,988	295	2,283
October	1,994	296	2,290
November	2,000	296	2,296
December	2,006	297	2,303
January	2,011	298	2,309
February	2,017	299	2,316
March	2,023	300	2,323
April	2,029	300	2,329
May	2,035	301	2,336
June	2,040	302	2,342

The following table shows the estimated and actual average male and female inmate populations for the 2023-25 biennium to date:

	Male Inmate Population Estimated Versus Actual			Female Inmate Population Estimated Versus Actual		
	Legislative Estimated Population	Actual Population	Actual Above (Below) Estimate	Legislative Estimated Population	Actual Population	Actual Above (Below) Estimate
Fiscal year 2024						
July	1,528	1,625	97	223	254	31
August	1,529	1,645	116	223	246	23
September	1,530	1,641	111	224	254	30
October	1,530	1,645	115	224	256	32
November	1,531	1,659	128	225	260	35
December	1,532	1,663	131	226	256	30
January	1,533	1,661	128	226	259	33
February	1,533	1,669	136	227	256	29
March	1,534	1,669	135	227	257	30
April	1,535	1,699	164	228	259	31
May	1,536	1,719	183	228	263	35

June	1,536	1,718	182	229	263	34
Fiscal year 2025						
July	1,538	1,734	196	229	261	32
August	1,540	1,753	213	230	258	28
September	1,541	1,774	233	230	265	35
October	1,543	1,785	242	231	263	32
November	1,545	1,848	303	232	272	40
December	1,547	1,868	321	232	271	39
January	1,549	1,871	322	233	268	35
February	1,551	1,869	318	233	261	28
March	1,552	1,869	317	234	255	21
April	1,554	1,853	299	234	255	21
May	1,556			234		
June	1,558			234		

Other Sections in Senate Bill No. 2015

New and vacant FTE pool - Section 3 provides for the use of funding in the new and vacant FTE pool line item.

Other funds - Strategic investment and improvements fund - Section 4 identifies \$95,834,175 from SIIF for various one-time projects and items appropriated in Section 1.

Tasers, ballistic vests, and body cameras - Section 5 provides for a Bank of North Dakota line of credit for \$989,891 that DOCR may access to purchase tasers, ballistic vests, and body cameras in the event the department does not receive federal funds for this purpose.

Operating fund authority - Section 6 provides authority to DOCR to deposit in and spend from its operating fund pursuant to legislative appropriation any money received from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the Youth Correctional Center permanent fund.

Missouri River Correctional Center - Section 7 requires DOCR to report quarterly to the Legislative Management regarding planning and design for a new MRCC minimum security facility. The section also provides for a steering committee to oversee the design and construction of the facility. The section also provides legislative intent that the 70th Legislative Assembly consider supporting the completion of the capital project.

Legislative Management study - Diversion and deflection centers - Section 8 provides for a Legislative Management study of diversion and deflection centers.

Legislative Management study - Offender sentencing - Section 9 provides for a Legislative Management study relating to offender sentencing, use of transitional facilities, and parole.

Exemptions - Carryover - Section 10 provides exemptions for DOCR to continue funding appropriated from SIIF and the federal State Fiscal Recovery Fund for the HRCC facility, deferred maintenance and extraordinary repairs, Department of Corrections Subject Tracking and Reporting System (DOCSTARS) maintenance, and IT needs.

Related Legislation

House Bill No. 1024 - Deficiency appropriation - This bill provides a deficiency appropriation of \$11.5 million from the general fund to DOCR for excess population costs.

House Bill No. 1197 - Legislative Management study - This bill provides for a Legislative Management study of jails and regional correctional centers.

House Bill No. 1206 - Driving under the influence penalty - This bill increases the penalty for driving under the influence of alcohol or any other drugs or substances if a minor is in the vehicle.

House Bill No. 1225 - Reckless endangerment penalty - This bill increases the penalty for reckless endangerment and adjusts the definition of habitual offenders.

House Bill No. 1274 - Retirement plan - This bill expands the eligibility in the public safety retirement plan to include correctional officers employed by a governmental unit.

House Bill No. 1344 - County and regional jails - This bill provides for DOCR to pay county and regional jails for inmates sentenced to the department and housed at the local jail.

House Bill No. 1361 - Human trafficking offenders - This bill provides mandatory minimum sentences for human trafficking offenders.

House Bill No. 1367 - Repeat drug offender penalties - This bill increases the penalty for repeat drug offenders.

House Bill No. 1417 - Supervision fees - This bill eliminates supervision fees charged by DOCR.

House Bill No. 1425 - Pilot project - This bill provides for a prosecution-led diversion supervision pilot program and appropriates \$1 million and authorizes 1 new FTE position for DOCR for the program. This bill also appropriates \$55,000 to DOCR to contract for consulting services to study pretrial service programs.

House Bill No. 1549 - Correctional facility grant committee - This bill provides for DOCR to establish a correctional facility grant committee to expand access to evidence-based programming in county, regional, and tribal correctional facilities.

Senate Bill No. 2013 - Permanent fund distributions - This bill provides distributions to institutions from permanent funds established for the benefit of the institutions, including \$3,136,000 for the Youth Correctional Center.

Senate Bill No. 2352 - Children of female inmates - This bill authorizes DOCR to allow children to reside with their mothers at HRCC.