

2025 SENATE STATE AND LOCAL GOVERNMENT

SB 2073

2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee Room JW216, State Capitol

SB 2073
1/9/2025

Relating to criminal history record checks by the State Treasurer for individuals with access to federal tax information

2:17 p.m. Chair Roers called the meeting to order.

Members Present: Chair Roers; Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

Discussion Topics:

- Federal guidelines
- Criminal background checks

2:17 p.m. Thomas Beadle, ND State Treasurer, testified in favor with testimony #28292 and #28291.

2:24 p.m. Chair Roers closed the hearing.

2:25 p.m. Senator Braunberger moved a Do Pass on amendment #25.8072.01001.

2:25 p.m. Senator Castaneda seconded the motion.

| Senators | Vote |
|---------------------------|------|
| Senator Kristin Roers | Y |
| Senator Jose L. Castaneda | Y |
| Senator Jeff Barta | AB |
| Senator Ryan Braunberger | Y |
| Senator Judy Lee | Y |
| Senator Chuck Walen | Y |

Motion Passed 5-0-1

2:27 p.m. Senator Walen made a motion to Do Pass as Amended.

2:27 p.m. Senator Braunberger seconded the motion.

| Senators | Vote |
|---------------------------|------|
| Senator Kristin Roers | Y |
| Senator Jose L. Castaneda | Y |
| Senator Jeff Barta | AB |
| Senator Ryan Braunberger | Y |
| Senator Judy Lee | Y |
| Senator Chuck Walen | Y |

Motion passed 5-0-1

Senate State and Local Government Committee

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Senator Castaneda will carry the bill.

2:27 p.m. Chair Roers closed meeting.

Susan Helbling, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

SENATE BILL NO. 2073

Introduced by

State and Local Government Committee

(At the request of the State Treasurer)

1 A BILL for an Act to amend and reenact subdivision xx of subsection 2 of section 12-60-24 and
2 section 54-11-16 of the North Dakota Century Code, relating to criminal history record checks
3 by the state treasurer for individuals with access to federal tax information.

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

5 **SECTION 1. AMENDMENT.** Subdivision xx of subsection 2 of section 12-60-24 of the North
6 Dakota Century Code is amended and reenacted as follows:

7 xx. The office of state treasurer for ~~each individual~~ an applicant or employee who has
8 access to federal tax information under chapter 54-11-16.

9 **SECTION 2. AMENDMENT.** Section 54-11-16 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **54-11-16. Criminal history record checks.**

12 The state treasurer shall require any applicant, or employee, ~~or independent contractor~~ who
13 has access to federal tax information to submit to a statewide and nationwide criminal history
14 record check, and subsequent recheck within ~~ten~~ five years from the date of the previous
15 criminal history record check. The nationwide criminal history record check must be conducted
16 in the manner provided by section 12-60-24.

**REPORT OF STANDING COMMITTEE
SB 2073**

State and Local Government Committee (Sen. Roers, Chairman) recommends **AMENDMENTS** ([25.8072.01001](#)) and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2073 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

SB 2073 Proposed Amendment:

Page 1 Line 8: add "or" before "employee".

Page 1 Line 8: remove "~~, or independent contractor~~"

Page 1 Line 13: add

SECTION 2. AMENDMENT. Section 12-60-24(2)(xx) of the North Dakota Century Code is amended and reenacted as follows:

- a. The office of state treasurer for ~~each individual~~ any applicant or employee who has access to federal tax information under chapter 54-11-16.



State of North Dakota
OFFICE OF STATE TREASURER
Thomas Beadle, State Treasurer

January 09, 2025

Chairman Roers,

Before you is SB 2073, a bill that amends NDCC 54-11-16 regarding the background check provisions for the Office of the State Treasurer.

Our office has this requirement primarily due to our involvement in processing and handling federal tax information and to be in compliance with the IRS and publication 1075 (Rev. 11-2021) Section 2.C.3. Due to federal requirements related to this information as it relates to the Office of State Treasurer's daily duties, we must follow the federal guidelines. Those guidelines have been adjusted and they shortened the period for rechecking employees from 10 years to 5, and this bill seeks to codify that.

After the bill was introduced, I was approached by BCI about an amendment. As you can see in bottom of this bill in the existing code, this section references NDCC 12-60-24, which is BCI's chapter. BCI manages the background check process for the state. In talking with them, they've advised that the FBI is being more stringent in the actual wording utilized in code, and have recommended a technical correction to our current language to make it conform with their updated framework. I've included those amendments to my testimony and ask this committee to adopt those as well.

Thank you for your consideration and I'm happy to answer any questions the committee might have.

Thomas Beadle
State Treasurer

2025 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2073

2025 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Pioneer Room, State Capitol

SB 2073

3/7/2025

Relating to criminal history record checks by the state treasurer for individuals with access to federal tax information.

9:54 a.m. Chairman Schauer opened the hearing.

Members present: Chairman Schauer, Vice Chairman Satrom, Representatives Brown, Grindberg, Karls, McLeod, Rohr, Schneider, Steiner, VanWinkle, Vetter, Wolff
Members absent: Representative Bahl

Discussion Topics:

- Federal guidelines for background checks

9:54 a.m. Thomas Beadle, State Treasurer, testified in favor and submitted testimony, #38669.

10:00 a.m. Chairman Schauer closed the hearing.

10:00 a.m. Representative Vetter moved a Do Pass.

10:00 a.m. Representative McCleod seconded the motion.

| Representatives | Vote |
|--------------------------------|------|
| Representative Austen Schauer | Y |
| Representative Bernie Satrom | Y |
| Representative Landon Bahl | AB |
| Representative Collette Brown | Y |
| Representative Karen Grindberg | Y |
| Representative Karen Karls | Y |
| Representative Carrie McLeod | Y |
| Representative Karen Rohr | Y |
| Representative Mary Schneider | Y |
| Representative Vicky Steiner | Y |
| Representative Lori VanWinkle | Y |
| Representative Steve Vetter | Y |
| Representative Christina Wolff | Y |

10:03 a.m. Motion passed 12-0-1.

Representative Wolff will carry the bill.

10:03 a.m. Chairman Schauer closed the meeting.

Jackson Toman, Committee Clerk

**REPORT OF STANDING COMMITTEE
ENGROSSED SB 2073 ([25.8072.02000](#))**

Government and Veterans Affairs Committee (Rep. Schauer, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT OR EXCUSED AND NOT VOTING). SB 2073 was placed on the Fourteenth order on the calendar.



State of North Dakota
OFFICE OF STATE TREASURER
Thomas Beadle, State Treasurer

March 7, 2025

Chairman Schauer,

Before you is SB 2073, a bill dealing with the background check provisions for the Office of the State Treasurer.

Our office has this requirement primarily due to our involvement in processing and handling child support payments. Due to federal requirements around the information that could be included in this process, we must follow the federal guidelines. Those guidelines have been adjusted and they shortened the period for rechecking employees from 10 years to 5, and this bill seeks to codify that.

The bill before you adjusts our existing background check provisions for two sections of century code. Section 1 of the bill modifies the language as it exists within BCI's section of the century code. Every agency in North Dakota that does these checks uses BCI and is listed in this area of code. Section 2 of this bill modifies this language within the State Treasurer's chapter of the century code.

Thank you for your consideration and I'm happy to answer any questions the committee might have.

Thomas Beadle
State Treasurer