Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

SENATE BILL NO. 2136
(Industry, Business and Labor Committee)
(At the request of the Department of Commerce)

AN ACT to amend and reenact section 54-60.1-05 of the North Dakota Century Code, relating to business incentive accountability reports.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 54-60.1-05 of the North Dakota Century Code is amended and reenacted as follows:

54-60.1-05. State grantor recipient reports.

1. The department shall create state grantor recipient report forms that include:

   a. The name and address of the recipient;

   b. The type, public purpose, and value of the business incentive;

   c. The number of new jobs to be created or retained in association with the business incentive;

   d. The average compensation of all jobs to be created or retained in association with the business incentive, including identification of the average benefits and the average earnings provided by the employer on all jobs created or retained in association with the business incentive;

   e. The date the job and average compensation goals are expected to be reached;

   f. A statement of goals identified in the business incentive agreement and an update on achievement of these goals, including the actual number of jobs created or retained and the average compensation of jobs created or retained at that point, including identification of the average benefits actually provided and the average earnings actually provided by the employer on all jobs created or retained;

   g. The location of the recipient prior to receiving the business incentive;

   h. The name and address of the parent corporation of the recipient, if any;

   i. A list of business incentives by all grantors for the project; and

   j. Other information the department and grantor may request.

2. Each state grantor shall use recipient report forms created by the department to monitor the progress by each state grantor recipient in achieving business incentive agreement goals. At a minimum, each of these recipients shall provide the state grantor with an annual recipient report for two years following the benefit date or until the goals are met, whichever is later. If the business incentive agreement goals are not met, the state grantor recipient shall continue to provide recipient reports to the state grantor until the incentive is repaid. A state grantor shall file with the department a copy of each completed recipient report.

3. Before ~~March 1, 2007, and each March first thereafter~~sixty days after the anniversary of the benefit date, a state grantor recipient shall file with the state grantor the recipient report for the previous ~~calendar year~~twelve months. If a state grantor recipient fails to file a recipient report

before ~~March eighth~~the sixtieth day after the anniversary of the benefit date, the state grantor shall mail the recipient a warning letter. If a noncompliant state grantor recipient fails to file the recipient report within fourteen days of the postmarked date of the warning letter, the recipient shall pay to the state grantor a penalty of one hundred dollars for each subsequent day until the report is filed. The maximum penalty under this section may not exceed one thousand dollars.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2136.

Senate Vote:	Yeas 47	Nays 0	Absent 0
House Vote:	Yeas 90	Nays 0	Absent 4

Secretary of the Senate

Received by the Governor at 8:22 A M. on March 18, 2015.

Approved at 2:09 P. M. on March 19, 2015.

Governor

Filed in this office this 19th day of March, 2015,

at 4:03 o'clock P. M.

Secretary of State