

**SENATE BILL NO. 2220**

Introduced by

Senators Kreun, Barta, Hogan, Mathern

Representatives Ista, O'Brien

1 A BILL for an Act to amend and reenact subsection 4 of section 21-10-13 and subsections 3  
2 and 4 of section 54-17-40 of the North Dakota Century Code, relating to an allocation from the  
3 legacy earnings fund and eligible projects under the housing incentive fund; to provide an  
4 effective date; and to declare an emergency.

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

6 **SECTION 1. AMENDMENT.** Subsection 4 of section 21-10-13 of the North Dakota Century  
7 Code is amended and reenacted as follows:

8 4. On July first of each odd-numbered year, from the amount available for appropriation  
9 or transfer from the legacy earnings fund for the biennium, the state treasurer shall  
10 transfer funding in the following order:

11 a. The first one hundred fifty million dollars to the legacy sinking and interest fund  
12 under section 6-09.4-10.1.

13 b. The next sixty million dollars to the highway tax distribution fund for allocations  
14 under section 54-27-19.

15 c. The next fifty million dollars to the housing incentive fund for eligible housing  
16 projects under section 54-17-40.

17 d. Any remaining funds for other purposes as designated by the legislative  
18 assembly, including:

19 (1) Up to fifty million dollars for tax relief pursuant to appropriations or transfers  
20 authorized by the legislative assembly;

21 (2) Up to thirty million dollars to the clean sustainable energy fund pursuant to  
22 appropriations or transfers authorized by the legislative assembly; and

23 (3) Up to thirty million dollars for university research programs, the innovation  
24 loan fund to support technology advancement, and workforce enrichment

1 initiatives pursuant to appropriations or transfers authorized by the  
2 legislative assembly.

3 **SECTION 2. AMENDMENT.** Subsection 3 of section 54-17-40 of the North Dakota Century  
4 Code is amended and reenacted as follows:

- 5 3. The housing finance agency shall adopt guidelines for the fund so as to address  
6 unmet housing needs in this state. Assistance from the fund may be used solely for:
- 7 a. New construction, rehabilitation, preservation, or acquisition of a ~~multifamily~~  
8 housing project;
  - 9 b. Gap assistance, matching funds, and accessibility improvements;
  - 10 c. Assistance that does not exceed the amount necessary to qualify for a loan using  
11 underwriting standards acceptable for secondary market financing or to make the  
12 project feasible; and
  - 13 d. Rental assistance, emergency assistance, barrier mitigation, or targeted  
14 supportive services designated to prevent homelessness;
  - 15 e. Single family housing rehabilitation; and
  - 16 f. Rural housing projects.

17 **SECTION 3. AMENDMENT.** Subsection 4 of section 54-17-40 of the North Dakota Century  
18 Code is amended and reenacted as follows:

- 19 4. Eligible recipients include units of local, state, and tribal government; local and tribal  
20 housing authorities; community action agencies; regional planning councils; and  
21 nonprofit organizations and for-profit developers of ~~multifamily~~ housing. Individuals  
22 may not receive direct assistance from the fund.

23 **SECTION 4. EFFECTIVE DATE.** This Act becomes effective July 1, 2023.

24 **SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure.