

**Department of Corrections and Rehabilitation  
Budget No. 530  
House Bill No. 1015**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
<b>2023-25 legislative appropriations</b>	<b>929.79</b>	<b>\$255,467,963</b>	<b>\$190,317,124</b>	<b>\$445,785,087</b>
2023-25 base budget	907.79	217,859,809	64,865,627	282,725,436
Legislative increase (decrease) to base budget	22.00	\$37,608,154	\$125,451,497	\$163,059,651

**ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS**

	<b>Ongoing General Fund Appropriation</b>	<b>One-Time General Fund Appropriation</b>	<b>Total General Fund Appropriation</b>
<b>2023-25 legislative appropriations</b>	<b>\$241,755,509</b>	<b>\$13,712,454</b>	<b>\$255,467,963</b>
2021-23 legislative appropriations	217,859,809	306,000	218,165,809
2023-25 legislative increase (decrease) to 2021-23 appropriations	\$23,895,700	\$13,406,454	\$37,302,154
Percentage increase (decrease) to 2021-23 appropriations	11.0%	4,381.2%	17.1%

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

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
The legislative action:				
Adjusted funding for base payroll changes		\$3,277,174	\$49,473	\$3,326,647
Added funding to provide employee salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024		9,947,193	526,054	10,473,247
Added funding for employee health insurance premiums to reflect a revised premium estimate of \$1,643 per month		3,889,515	254,632	4,144,147
Transferred funding for new FTE positions and estimated savings from vacant FTE positions to a new and vacant FTE funding pool in the Office of Management and Budget (OMB)		(13,436,071)	(569,031)	(14,005,102)
Adjusted funding to restore funding from the general fund that was replaced by funding from the federal Coronavirus Relief Fund for payroll costs of law enforcement-related employees for July through December 2021		18,371,718	(18,371,718)	0
Added funding for teacher salaries to comply with the Teacher Composite Schedule		269,082		269,082

Converted temporary positions to FTE positions	5.00	80,687		80,687
Added parole and probation FTE positions, including \$136,301 for associated operating costs	6.00	939,058		939,058
Added pretrial services FTE positions, including \$99,430 for associated operating costs	4.00	592,827		592,827
Added inmate case manager positions, including \$52,201 for associated operating costs	6.00	825,475		825,475
Added Heart River Correctional Center (HRCC) positions, including \$17,696 for operating costs	3.00	471,858		471,858
Added funding for information technology (IT) unification, including the transfer of 2 FTE positions to the Information Technology Department and the addition of funding for electronic health records, facility offender management system, and community offender management system support	(2.00)	700,000		700,000
Added funding for IT data processing		2,040,121	11,673	2,051,794
Added funding for electronic medical records system maintenance and support		546,700		546,700
Added funding for juvenile contract housing		1,681,300		1,681,300
Added funding for a treatment recovery impact program for 20 females		1,973,700		1,973,700
Removed passthrough funding for the free through recovery program, to provide a total of \$354,760 for free through recovery program costs and \$826,380 for other operations within the agency's budget		(6,818,860)		(6,818,860)
Added funding to expand community behavioral telehealth services		750,000		750,000
Added funding for adult education and career readiness programming		306,300		306,300
Adjusted funding for other base budget changes, including reductions to operating fees and services and professional fees and services		(2,163,098)	(1,073,666)	(3,236,764)
Reduced funding for debt service		(348,979)	(8,181)	(357,160)
Added <b>one-time funding</b> for inflationary costs, including food, medical, clothing, and resident payroll		3,478,998		3,478,998

Added <b>one-time funding</b> for transitional facility contract inflation	2,759,222		2,759,222
Added <b>one-time funding</b> for the Dakota Women's Correctional and Rehabilitation Center (DWCRC) contract to provide a total of \$13.75 million	2,450,000		2,450,000
Added <b>one-time funding</b> to contract for 16 female beds at the Dickinson Adult Detention Center	1,003,434		1,003,434
Added <b>one-time funding</b> for staff and resident training and development	100,000		100,000
Added <b>one-time funding</b> to contract for a consultant review of the offender management system	500,000		500,000
Added <b>one-time funding</b> for 30 new cameras	275,000		275,000
Added <b>one-time funding</b> for equipment	1,145,800	75,000	1,220,800
Added <b>one-time funding</b> for maintenance and extraordinary repairs	2,000,000		2,000,000
Added <b>one-time funding</b> from the strategic investment and improvements fund (SIIF) for the Department of Corrections Subject Tracking and Reporting System (DOCSTARS) maintenance		307,000	307,000
Added <b>one-time funding</b> from SIIF for a new HRCC female facility		131,200,000	131,200,000
Added <b>one-time funding</b> from SIIF for a new James River Correctional Center (JRCC) maintenance shop		1,550,000	1,550,000
Added <b>one-time funding</b> from SIIF for software		2,000,000	2,000,000
Added <b>one-time funding</b> from grant funds to remodel the sixth floor of the JRCC		255,500	255,500
Added <b>one-time funding</b> for Roughrider Industries (RRI) supplies		4,083,681	4,083,681
Added <b>one-time funding</b> for RRI equipment		2,019,000	2,019,000
Added <b>one-time funding</b> for RRI IT costs		642,080	642,080
Added <b>one-time funding</b> for RRI cold storage		200,000	200,000
Added <b>one-time funding</b> for RRI paint line replacement		2,300,000	2,300,000
Total	<u>22.00</u>	<u>\$37,608,154</u>	<u>\$125,451,497</u>
			<u>\$163,059,651</u>

### FTE Changes

The Legislative Assembly approved 929.79 FTE positions for the Department of Corrections and Rehabilitation (DOCR) for the 2023-25 biennium, an increase of 22 FTE positions from the 2021-23 biennium authorized amount of 907.79 FTE positions. The Legislative Assembly transferred 2 FTE positions to the Information Technology Department for IT unification and added 24 FTE positions as follows:

- 5 FTE converted from temporary positions;
- 6 FTE parole and probation positions;
- 4 FTE pretrial services positions;
- 6 FTE inmate case manager positions;
- 2 FTE HRCC residential treatment positions; and
- 1 FTE HRCC behavioral health position.

### One-Time Funding

The following is a summary of one-time funding items for DOCR for the 2023-25 biennium:

	General Fund	Other Funds	Total
Inflationary costs, including food, medical, clothing, and resident payroll	\$3,478,998		\$3,478,998
Transitional facility contract inflation	2,759,222		2,759,222
DWCRC contract	2,450,000		2,450,000
Contract for 16 female beds at the Dickinson Adult Detention Center	1,003,434		1,003,434
Staff and resident training and development	100,000		100,000
Contract for a consultant review of the offender management system	500,000		500,000
New cameras	275,000		275,000
Equipment, including washing machines, kitchen equipment, other equipment, and a federally funded tattoo removal machine	1,145,800	\$75,000	1,220,800
Maintenance and extraordinary repairs	2,000,000		2,000,000
DOCSTARS maintenance (SIIF)		307,000	307,000
HRCC female facility project		131,200,000	131,200,000
JRCC maintenance shop		1,550,000	1,550,000
Software		2,000,000	2,000,000
JRCC remodeling project		255,500	255,500
RRI supplies		4,083,681	4,083,681
RRI equipment		2,019,000	2,019,000
RRI IT costs		642,080	642,080
RRI cold storage		200,000	200,000
RRI paint line replacement		2,300,000	2,300,000
<b>Total</b>	<b>\$13,712,454</b>	<b>\$144,632,261</b>	<b>\$158,344,715</b>

**Inmate Population**

The following table summarizes the 2023-25 biennium inmate population projections used to develop the legislative appropriation:

	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>Fiscal year 2024</b>			
July	1,528	223	1,751
August	1,529	223	1,752
September	1,530	224	1,754
October	1,530	224	1,754
November	1,531	225	1,756
December	1,532	226	1,758
January	1,533	226	1,759
February	1,533	227	1,760
March	1,534	227	1,761
April	1,535	228	1,763
May	1,536	228	1,764
June	1,536	229	1,765
<b>Fiscal year 2025</b>			
July	1,538	229	1,767
August	1,540	230	1,770
September	1,541	230	1,771
October	1,543	231	1,774
November	1,545	232	1,777
December	1,547	232	1,779
January	1,549	233	1,782
February	1,551	233	1,784
March	1,552	234	1,786
April	1,554	234	1,788
May	1,556	234	1,790
June	1,558	234	1,792

The following table shows the estimated and actual average male and female inmate populations for the 2021-23 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
<b>Fiscal year 2022</b>						
July	1,451	1,454	3	182	191	9
August	1,454	1,464	10	183	190	7
September	1,457	1,476	19	184	187	3
October	1,460	1,484	24	185	195	10
November	1,463	1,489	26	185	202	17
December	1,466	1,493	27	186	197	11
January	1,469	1,494	25	187	193	6
February	1,472	1,501	29	188	201	13
March	1,475	1,506	31	188	205	17
April	1,478	1,531	53	189	208	19
May	1,482	1,534	52	190	214	24
June	1,485	1,524	39	191	213	22
<b>Fiscal year 2023</b>						
July	1,488	1,535	47	191	216	25
August	1,491	1,532	41	192	208	16
September	1,494	1,543	49	193	202	9
October	1,497	1,565	68	194	213	19
November	1,500	1,565	65	194	214	20
December	1,503	1,582	79	195	224	29
January	1,506	1,575	69	196	234	38
February	1,508	1,586	78	196	236	40
March	1,511	1,599	88	197	250	53
April	1,514			198		
May	1,517			198		
June	1,520			199		

#### 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 DWCRC in New England, an increase of \$2.45 million from the 2021-23 biennium contract of \$11.3 million.

#### Other Sections in House Bill No. 1015

**Operating fund authority** - Section 3 provides authority for 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 the DOCR commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the Youth Correctional Center (YCC) permanent fund.

**Strategic investment and improvements fund** - Section 4 provides that \$135,057,000, including \$2,307,000 for IT projects, \$131,200,000 for the HRCC project, and \$1,550,000 for a new JRCC maintenance shop, is from SIIF.

**Heart River Correctional Center facility** - Section 5 provides legislative intent that the 69<sup>th</sup> Legislative Assembly appropriate \$30 million to complete the construction of the new women's prison facility at HRCC. Section 6 provides for legislative membership on a steering committee for the design and construction of the new HRCC facility.

**Exemption - Community behavioral health program** - Section 7 provides that any unexpended general fund appropriation authority relating to the \$8 million appropriated for the community behavioral health program for the 2021-23 biennium is not subject to the provisions of North Dakota Century Code Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.

**Exemption - Deferred maintenance and extraordinary repairs** - Section 8 provides that any unexpended general fund appropriation authority relating to the \$6 million continued in Section 9 of Chapter 43 of the 2021 Session Laws for deferred maintenance and extraordinary repairs for the 2021-23 biennium is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.

**Exemption - American Rescue Plan Act** - Sections 9 and 10 provide any unexpended federal funds appropriation authority relating to the allocation to DOCR from the \$10 million appropriated to OMB for deferred maintenance in subsection 10 and up to \$990,000 appropriated to DOCR for stipends to county jails for deferred admissions in subsection 4 of Section 1 of Chapter 550 of the 2021 Special Session Session Laws is not subject to the provisions of Section 54-44.1-11 and may be continued and expended during the 2023-25 biennium.

#### **Related Legislation**

**House Bill No. 1013 (2023)** - Permanent funds distributions - Provides a distribution of \$2,662,000 to YCC from a permanent fund established for the benefit of the institution.

**Senate Bill No. 2015 (2023) - Funding pools** - Includes funding pools from which the agency may receive allocations, including the:

- Employer retirement contribution pool from which DOCR is to receive \$786,759, of which \$747,240 is from the general fund and \$39,519 is from other funds in accordance with provisions of Section 23 of Senate Bill No. 2015 for the 1 percent employer retirement contribution increase provided for in House Bill No. 1040 (2023) and \$384,652, of which \$364,288 is from the general fund and \$20,364 is from other funds for the employer retirement contribution increase relating to peace officers provided for in House Bill No. 1183 (2023);
- New and vacant FTE funding pool from which the agency may request funding when hiring new FTE positions or if the agency does not realize sufficient savings from vacant FTE positions in accordance with provisions of Section 22 of Senate Bill No. 2015; and
- Targeted market equity pool from which the agency may receive an allocation as determined by OMB in accordance with provisions of Section 20 of Senate Bill No. 2015.

**Senate Bill No. 2015 - Unspent federal State Fiscal Recovery Fund money** - Provides that OMB shall transfer any uncommitted State Fiscal Recovery Fund accumulated interest or appropriation authority to DOCR to defray the expenses of salaries and wages and other operating costs of the agency.

**Senate Bill No. 2026 (2023)** - Appropriates \$4 million from the general fund to the Department of Health and Human Services to demolish unused buildings on the State Hospital campus.

**Senate Bill No. 2248 (2023)** - Provides a penalty for individuals who cause the death or injury of another person through the distribution of illegal drugs and provides for the Department of Health and Human Services to expand statewide awareness of fentanyl.