



LEGISLATIVE UPDATES



February 26, 2025

Update No. 8

It's a short report for a short week! However, it was decidedly **not** a short night in the House of Representatives last night. They worked off and on in floor session until around 10:30 p.m. in order to finish acting on all the bills they had introduced a little bit ahead of schedule. The Senate, on the other hand, wrapped up at 2:30 in the afternoon. You'll remember that they had previously hoped to wrap up by the end of today. So, in case you're keeping count at home, here's the tally (so far):

Total Bill Count: 1083

House Bills & Resolutions: 655

Senate Bills & Resolutions: 428

Active Bills: 753 (330 have failed or been withdrawn)

Days Left in the Session (not that we're counting): 46 (Max)

Bills Signed into Law: 5 (+1 from last week)

They've adjourned until Wednesday of next week. At that time, they'll start committee hearings but won't hold another floor session until Friday, March 7.

Some of the last actions out of the House last night included passing three property tax-related bills (including HB 1176, the Governor's plan), acting on several agency budget bills, and amending the infamous lawyer apprenticeship bill before taking a final vote (it still failed, 20-70). Most of the news out of the House this week overshadowing that work has centered on free school lunches, ESAs, and a resolution urging the supreme court to overturn their previous ruling on gay marriage. Meanwhile, the Senate acted on bills related to prescription drug price caps, intelligent design curriculum, and property tax relief for ag property. All that to say – the legislature has packed **a lot** into this short week. While a bit haphazard, it is typical of the week before crossover as they rush to meet the deadline to get all bills across to the other side (or not).

UPDATES FROM ICBND'S PRIORITY TRACKING LIST

Here is the last bit of work that we wrapped up this week:

SB 2364

2364, the bill related to UCC Article 8 and investment securities, hit the floor this week. You'll remember that after a bit of back and forth with one of the bill's sponsors, the bill was amended into a study of the property rights of entitlement holders in Uniform Commercial Code transactions. While a

non-mandatory study was fine in theory, studying the UCC was going to be a fruitless endeavor, and frankly, a waste of state dollars. The process for changing the UCC is to go through the Uniform Law Commission, not conduct a legislative interim study. Several legislators who have frequently worked with the UCC understood this, and we made the point to a few more. After the Senate passed the amendments, and a little bit of debate, the study failed on the Senate floor 20-27. That makes three states – South Dakota, Wyoming, and North Dakota – that have killed this bill in the last several weeks.

HB 1584

You haven't seen this bill on our tracking list before because it's been lingering on what we internally call our "secondary list." Items that matter to ICBND for various reasons but aren't necessarily top-tier banking or business issues are placed on this list. Sometimes we expect those issues to go away quickly. Sometimes they get promoted to our priority list. Unfortunately for **HB 1584**, it got the call to the major leagues. We've been tracking it with our business colleagues during the first period due to its impact on the North Dakota Banks Benefits Trust. We had worked with the bill sponsor and supporters with the expectation that it would be amended to no longer impact us and were assured that it would. Once everyone finally showed their hands, it was clear that was not going to be the case, so we want you to be aware of the bill going into the second period of the session. HB 1584 is a bill that aims to regulate Pharmacy Benefit Managers (PBMs) who serve self-funded health plans in North Dakota by removing the protections given to self-funded Employee Retirement Income Security Act (ERISA) plans from state regulation of their PBMs. This legislation will limit design choice and increase state regulation of federally regulated self-funded groups, like ours, which will increase pharmaceutical costs. PBMs are intermediaries who sit between individuals and their health plans, enter contracts with benefit plans and insurers to provide beneficiaries with access to prescription drugs. While the NDBBT doesn't use a PBM (we work directly with BCBSND relating to pharmacy benefits), this bill would still remove our ERISA exemption and subject us to state imposed healthcare mandates, which would have significant cost impacts. The bill would not only impact banks utilizing NDBBT plans, but any bank utilizing a self-funded ERISA plan. Many other associations and businesses are negatively impacted by this bill. While it has already passed the House, we will be working hard to influence its amendment or defeat in the Senate. Please look for updates on this important bill.

NEXT WEEK'S HEARING SCHEDULE

Monday, March 3

No hearings scheduled at this time.

Tuesday, March 4

No hearings scheduled at this time.

Wednesday, March 5

9 a.m.	HB 1441	Specie Legal Tender	Senate Finance & Tax	Ft. Totten
3 p.m.	SB 2122	Uniform Commercial Real Estate Receivership Act	House IBL	327C
3:30 p.m.	SB 2164	Duty of Confidentiality and Disclosure to the North Dakota Protection and Advocacy Project.	House Human Services	Pioneer

Thursday, March 6

No hearings scheduled at this time.

Friday, March 7

8:30 a.m.	HB 1278	Cash Management	Senate Approps.	Red River
9:30 a.m.	SB 2152	Statements of Full Consideration	House Ag	327C

LEGISLATIVE DEADLINES

February 28	Crossover date for bills
March 3-4	Recess
March 5	Reconvene from crossover break.
March 12	Crossover date for resolutions
May 2	Session limited to 80 legislative days.

Legislator contact information can be found at <https://ndlegis.gov/contact-my-legislators>, and you can check on any legislative activities through the Legislative Council's web page at ndlegis.gov.

Thank you for your participation in the legislative process. Please call, email, or text me with any questions or concerns. If you'd like to be taken off this distribution list or if there are others in your organization that should be receiving these updates, please let me know.

Sincerely,
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