

## EFFECTIVE DATES OF 2017 LEGISLATION

Section 13 of Article IV of the Constitution of North Dakota and North Dakota Century Code Section 1-02-42 provide the rules for determining the effective dates of laws enacted by the Legislative Assembly. The general rule is that a law takes effect on August 1 after its filing with the Secretary of State. An appropriation measure for the support and maintenance of state departments and institutions or a tax measure that changes tax rates takes effect on July 1 after its filing with the Secretary of State. Later effective dates can be specified in a bill, and a law that is declared an emergency measure which passes each house by a vote of two-thirds of the members-elect of each house can take effect upon its filing with the Secretary of State.

<b>House Bills</b>			
1001 - July 1, 2017	1058 - August 1, 2017	1147 - August 1, 2017	1228 - August 1, 2017 <sup>20</sup>
1002 - July 1, 2017	1059 - August 1, 2017	1148 - August 1, 2017	1231 - August 1, 2017
1003 - July 1, 2017 <sup>1</sup>	1060 - August 1, 2017	1149 - August 1, 2017	1233 - April 17, 2017
1004 - vetoed	1085 - August 1, 2017	1150 - August 1, 2017	1234 - August 1, 2017
1005 - July 1, 2017	1086 - August 1, 2017 <sup>16</sup>	1151 - August 1, 2017	1235 - August 1, 2017
1006 - July 1, 2017 <sup>2</sup>	1087 - August 1, 2017	1152 - April 28, 2017 <sup>18</sup>	1236 - August 1, 2017
1007 - July 1, 2017	1088 - August 1, 2017	1153 - vetoed	1237 - August 1, 2017
1008 - July 1, 2017	1089 - August 1, 2017	1155 - April 18, 2017	1239 - January 1, 2017 <sup>21</sup>
1009 - July 1, 2017	1090 - August 1, 2017	1156 - August 1, 2017 <sup>19</sup>	1240 - March 15, 2017
1010 - July 1, 2017	1092 - August 1, 2017	1157 - August 1, 2017	1245 - August 1, 2017
1011 - July 1, 2017	1093 - August 1, 2017	1159 - August 1, 2017	1247 - August 1, 2017
1012 - July 1, 2017 <sup>3</sup>	1094 - August 1, 2017	1160 - August 1, 2017	1249 - August 1, 2017
1013 - July 1, 2017 <sup>4</sup>	1095 - August 1, 2017	1169 - August 1, 2017	1250 - August 1, 2017
1014 - July 1, 2017	1096 - August 1, 2017	1171 - August 1, 2017	1251 - August 1, 2017
1015 - July 1, 2017 <sup>5</sup>	1097 - August 1, 2017	1173 - August 1, 2017	1253 - August 1, 2017
1016 - July 1, 2017	1098 - April 13, 2017	1178 - July 1, 2017	1254 - August 1, 2017
1017 - July 1, 2017	1099 - August 1, 2017	1181 - August 1, 2017	1255 - July 1, 2017
1018 - July 1, 2017	1100 - March 9, 2017	1183 - August 1, 2017	1257 - August 1, 2017
1019 - July 1, 2017 <sup>6</sup>	1101 - August 1, 2017	1187 - August 1, 2017	1269 - August 1, 2017
1020 - July 1, 2017 <sup>7</sup>	1102 - July 1, 2017	1189 - August 1, 2017	1270 - August 1, 2017
1021 - July 1, 2017	1104 - August 1, 2017	1191 - August 1, 2017	1272 - August 1, 2017
1022 - July 1, 2017	1105 - August 1, 2017	1192 - August 1, 2017	1273 - August 1, 2017
1023 - July 1, 2017 <sup>8</sup>	1106 - August 1, 2017	1194 - August 1, 2017	1275 - August 1, 2017
1024 - May 1, 2017	1108 - August 1, 2017	1195 - August 1, 2017	1279 - April 12, 2017
1025 - April 18, 2017	1109 - August 1, 2017	1196 - July 1, 2017	1280 - August 1, 2017
1026 - August 1, 2017	1110 - July 1, 2017	1197 - August 1, 2017	1283 - August 1, 2017
1027 - August 1, 2017	1111 - March 9, 2017	1198 - August 1, 2017	1286 - August 1, 2017
1029 - August 1, 2017	1112 - March 3, 2017	1201 - vetoed	1288 - July 1, 2017
1030 - August 1, 2017	1116 - August 1, 2017	1202 - August 1, 2017	1289 - August 1, 2017
1035 - August 1, 2017	1117 - August 1, 2017	1204 - August 1, 2017	1291 - April 5, 2017
1036 - August 1, 2017	1118 - August 1, 2017	1206 - August 1, 2017	1292 - August 1, 2017
1037 - August 1, 2017	1119 - August 1, 2017	1207 - March 13, 2017	1293 - February 23, 2017
1038 - July 1, 2017	1120 - April 18, 2017	1208 - August 1, 2017	1294 - August 1, 2017
1040 - July 1, 2017	1125 - March 3, 2017	1210 - July 1, 2017	1296 - January 1, 2018
1041 - July 1, 2017 <sup>9</sup>	1126 - August 1, 2017	1211 - August 1, 2017	1299 - August 1, 2017
1043 - August 1, 2017 <sup>10</sup>	1127 - August 1, 2017	1212 - August 1, 2017	1300 - January 1, 2018 <sup>22</sup>
1044 - January 1, 2017 <sup>11</sup>	1128 - August 1, 2017	1214 - August 1, 2017	1302 - August 1, 2017
1045 - January 1, 2017 <sup>12</sup>	1131 - August 1, 2017	1215 - August 1, 2017	1304 - February 23, 2017
1048 - January 1, 2017 <sup>13</sup>	1132 - March 3, 2017	1216 - August 1, 2017	1305 - August 1, 2017
1049 - January 1, 2017 <sup>14</sup>	1133 - March 9, 2017	1217 - July 1, 2017	1306 - August 1, 2017 <sup>23</sup>
1050 - January 1, 2017 <sup>15</sup>	1134 - August 1, 2017	1218 - August 1, 2017	1311 - August 1, 2017
1051 - August 1, 2017	1135 - August 1, 2017	1219 - August 1, 2017	1314 - August 1, 2017
1052 - August 1, 2017	1136 - August 1, 2017 <sup>17</sup>	1220 - August 1, 2017	1315 - August 1, 2017
1055 - August 1, 2017	1137 - August 1, 2017	1221 - August 1, 2017	1316 - August 1, 2017
1057 - August 1, 2017	1139 - August 1, 2017	1222 - August 1, 2017	1318 - August 1, 2017
	1144 - July 1, 2017	1226 - August 1, 2017	1320 - August 1, 2017



2277 - August 1, 2017	2299 - August 1, 2017	2312 - August 1, 2017	2329 - August 1, 2017
2278 - August 1, 2017	2300 - August 1, 2017	2313 - August 1, 2017 <sup>56</sup>	2330 - July 1, 2017 <sup>58</sup>
2283 - August 1, 2017 <sup>51</sup>	2301 - August 1, 2017 <sup>54</sup>	2316 - August 1, 2017	2333 - August 1, 2017
2284 - March 13, 2017	2302 - February 23, 2017	2318 - August 1, 2017	2334 - August 1, 2017
2286 - August 1, 2017	2303 - Contingent <sup>55</sup>	2320 - August 1, 2017	2335 - August 1, 2017
2288 - January 1, 2018 <sup>52</sup>	2304 - August 1, 2017	2321 - July 1, 2017	2340 - July 1, 2017
2289 - August 1, 2017	2307 - August 1, 2017	2322 - August 1, 2017	2342 - August 1, 2017
2290 - August 1, 2017	2308 - August 1, 2017	2324 - August 1, 2017	2343-February 1, 2018 <sup>59</sup>
2295 - August 1, 2017	2309 - August 1, 2017	2325 - August 1, 2017	2344 - April 18, 2017
2296 - August 1, 2017	2310 - August 1, 2017	2326 - August 1, 2017	
2298 - Contingent <sup>53</sup>	2311 - July 1, 2017	2327 - Contingent <sup>57</sup>	

<sup>1</sup>Except Sections 5, 8, and 9, which are effective April 27, 2017.

<sup>2</sup>Except Section 4, which is effective April 26, 2017.

<sup>3</sup>Except Sections 11, 12, 13, and 22, which are effective May 1, 2017; and Section 40, which becomes effective if the Executive Director of the Department of Human Services certifies to the Secretary of State and the Legislative Council the federal government ended the Medical Assistance Expansion program.

<sup>4</sup>Except Sections 8 and 27, which are effective April 25, 2017.

<sup>5</sup>Except Sections 6, 14, 19, 27, and 32, which are effective May 3, 2017; Section 22, which is effective for property tax incentives approved after July 31, 2017; and Section 29, which was vetoed by the Governor.

<sup>6</sup>Except part of Section 1 and Sections 5 and 8, which are effective May 11, 2017; and Section 13 and the second sentence of Section 17, which were vetoed by the Governor.

<sup>7</sup>Except Sections 9, 10, 11, 12, 22, and 23, which are effective May 3, 2017; Sections 15, 17, 18, and 21, which are effective August 1, 2017; Section 16, which becomes effective August 1, 2019; Section 23, which becomes effective only upon certification by the Industrial Commission to the Legislative Council that the Industrial Commission has determined the Western Area Water Supply authority shall, with the assistance of the Industrial Commission and the Bank of North Dakota, repay its obligations to the Bank of North Dakota through the issuance of revenue bonds, as provided under Subsection 2 of Section 12 of this Act; and Section 27, which was vetoed by the Governor. The Governor also vetoed the portion of Section 5 which, which reads "subject to budget section approval and upon notification to the legislative management's water topics overview committee." Following a challenge to the constitutionality of the veto, the North Dakota Supreme Court, in *North Dakota Legislative Assembly v. Burgum*, 2018 ND 189, held the language to be an unconstitutional delegation of legislative authority. To make the remaining language workable legislation; however, the court also stuck the words "however, the State Water Commission may transfer funding among these items,".

<sup>8</sup>Except Sections 8, 9, 10, and 12, which were vetoed by the Governor.

<sup>9</sup>Except Sections 1, 2, 3, 4, 5, 7, 10, 11, 12, 13, 14, 15, 16, 17, and 21, which are effective April 21, 2017; and Sections 8 and 9, which are effective January 1, 2018.

<sup>10</sup>Except Section 18, which is retroactively effective for taxable events occurring after December 31, 2015.

<sup>11</sup>Except Section 10, which applies to taxable events occurring after June 30, 2017.

<sup>12</sup>This Act applies to taxable years beginning after December 31, 2016; except Section 1, which is effective for investments made before July 1, 2017; and Section 2, which is effective for investments made after June 30, 2017.

<sup>13</sup>This Act applies to taxable years beginning after December 31, 2016.

<sup>14</sup>This Act applies to taxable years beginning after December 31, 2016.

<sup>15</sup>This Act applies to taxable years beginning after December 31, 2016.

<sup>16</sup>Section 3 applies to all claims regardless of date of injury.

<sup>17</sup>Except Section 13, which is effective March 9, 2017.

<sup>18</sup>This Act is effective for tax collections received by the Tax Commissioner after June 30, 2017.

<sup>19</sup>Sections 2 and 3 apply to all claims regardless of date of injury.

- <sup>20</sup>Section 8 retroactively applies to all trusts governed by the laws of this state, including a trust whose governing law has been changed to the laws of this state.
- <sup>21</sup>This Act is effective for taxable years beginning after December 31, 2016.
- <sup>22</sup>House Bill No. 1300, as passed, provided for an effective date of September 1, 2017; however, the effective date for House Bill No. 1300 subsequently was amended in Section 23 of Senate Bill No. 2013, which provided for an effective date of January 1, 2018.
- <sup>23</sup>This Act applies to State Real Estate Commission member appointments that take place after July 31, 2017. This Act does not invalidate the current term of a member serving on the commission on August 1, 2017.
- <sup>24</sup>Except Section 7, which was vetoed by the Governor.
- <sup>25</sup>Except Section 13, which is effective June 30, 2017; Sections 23, 24, 26, and 28, which are effective May 3, 2017; and Section 6, Subdivision b of Subsection 3 of Section 24, and the last sentence of Section 32, which were vetoed by the Governor.
- <sup>26</sup>Except part of Section 1 and all of Section 15, which are effective April 26, 2017.
- <sup>27</sup>Except Section 19, which is effective September 1, 2017; Sections 15 and 16 apply to taxable events occurring after June 30, 2017; and Sections 4 and 20, and the portion of Section 12 which reads "Of the \$3,600,000, \$1,800,000 may be spent only upon approval of the Budget Section", which were vetoed by the Governor.
- <sup>28</sup>Except Section 28, which is effective May 3, 2017.
- <sup>29</sup>Except Sections 10 and 12, which were vetoed by the Governor.
- <sup>30</sup>Except part of Section 1 and all of Section 7, which are effective May 3, 2017; and the portion of Section 12 which reads, "\$300,000 to an organization that provides workplace safety", which was vetoed by the Governor.
- <sup>31</sup>Except Section 11, which is effective for taxable years beginning after December 31, 2016.
- <sup>32</sup>Except Section 3, which is effective August 1, 2021.
- <sup>33</sup>This Act applies to administrative and judicial appeal decisions issued on and after August 1, 2017.
- <sup>34</sup>Except Section 7, which becomes effective on the date identified by the Executive Director of the Public Employees Retirement System in a certification to the Legislative Council as the effective date of a repeal of Sections 4980H(a) and 4980H(b) of the Internal Revenue Code [26 U.S.C. 4980H(a) and 4980H(b)] or the effective date of an amendment of Sections 4980H(a) and 4980H(b) of the Internal Revenue Code [26 U.S.C. 4980H(a) and 4980H(b)] resulting in the assessable payments under Sections 4980H(a) and 4980H(b) [26 U.S.C. 4980H(a) and 4980H(b)] becoming zero dollars. If this certification does not occur before August 1, 2019, Section 7 expires and is ineffective.
- <sup>35</sup>Except Sections 3, 4, 10, and 11, which become effective on January 1, 2018.
- <sup>36</sup>Section 1 applies to all claims regardless of date of injury.
- <sup>37</sup>Section 1 applies retroactively to eligible expenses incurred by National Guard service members called to state active duty in response to protest activities since August 19, 2016.
- <sup>38</sup>This Act is effective for taxable periods beginning after June 30, 2017.
- <sup>39</sup>Section 1 of this Act applies retroactively to the date of closure of the Pick-Sloan Missouri Basin project dams. The ordinary high water mark determination under this Act is retroactive and applies to all oil and gas wells spud after January 1, 2006, for purposes of oil and gas mineral and royalty ownership.
- <sup>40</sup>This Act applies retroactively to cases arising after July 31, 2015.
- <sup>41</sup>This Act is effective for taxable years beginning after December 31, 2016.
- <sup>42</sup>Section 1 applies to any Canadian domestic violence protection order issued before, on, or after August 1, 2017, including any continuing action for enforcement of a Canadian domestic violence protection order commenced before August 1, 2017. A request for enforcement of a Canadian domestic violence protection order brought after July 31, 2017, for violations of a Canadian domestic violence protection order occurring before August 1, 2017, is governed by the provisions of Section 1.
- <sup>43</sup>Subsection 2 of Section 1 of this Act applies to all family members of a deceased North Dakota veteran, regardless of the date of death of the veteran.
- <sup>44</sup>This Act is effective for taxable years beginning after December 31, 2016.

<sup>45</sup>Except Section 2, which is effective April 25, 2017.

<sup>46</sup>Except Sections 9, 11, 12, and 16, which are effective for the first 2 taxable years beginning after December 31, 2016; Sections 14 and 17, which are effective for taxable years beginning after December 31, 2016; Sections 4 and 7, which are effective August 1, 2017, through December 31, 2019; Sections 10 and 13, which are effective for taxable years beginning after December 31, 2018; Sections 2 and 6, which become effective on August 1, 2019; and Section 5, which becomes effective on January 1, 2020.

<sup>47</sup>Except Sections 2, 4, 5, and 6, which become effective January 1, 2018. If Section 6 is declared invalid, Sections 3, 7, and 8 of this Act become effective on the date the Insurance Commissioner certifies the invalidity of Section 6 to the Secretary of State and the Legislative Council.

<sup>48</sup>This Act applies retroactively.

<sup>49</sup>This Act applies to contracts and agreements in effect on and after August 1, 2017.

<sup>50</sup>Except Sections 4, 5, 8, 9, 11, and 12, which are effective April 10, 2017; and Section 10, which is effective July 1, 2023.

<sup>51</sup>This Act is effective for tax incentives claimed or granted after July 31, 2017.

<sup>52</sup>This Act is effective for taxable years beginning after December 31, 2017.

<sup>53</sup>This Act becomes effective on the date the United States Supreme Court issues an opinion overturning *Quill v. North Dakota*, 504 U.S. 298 (1992), or otherwise confirms a state may constitutionally impose its sales or use tax upon an out-of-state seller in circumstances similar to those specified in Section 1 of this Act.

<sup>54</sup>This Act applies to contracts and agreements in effect on and after August 1, 2017.

<sup>55</sup>This Act becomes effective on the date the Attorney General certifies to the Legislative Council that the registration process provided in Section 1 of this Act is operational.

<sup>56</sup>Section 3 of this Act applies only to projects that receive a certificate of site compatibility after August 1, 2017.

<sup>57</sup>This Act is effective upon the receipt by the Legislative Council of the certification by the Chief of the Environmental Health Section of the State Department of Health attesting that all necessary federal approvals have been obtained and all necessary federal and other agreements have been amended to ensure the state will continue to meet the primacy requirements it currently satisfies after the transfer of authority, powers, and duties from the State Department of Health to the Department of Environmental Quality provided under this Act.

<sup>58</sup>This Act is effective for taxable events occurring after June 30, 2017.

<sup>59</sup>This Act applies for campaign years that begin after December 31, 2017.