

**FISCAL NOTE**  
**Proposed New N.D. Admin. Code Chapter 72-03-02**  
**Name Availability Administrative Rules**

1. **A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2023 - 2025 Biennium		2025 - 2027 Biennium		2027 - 2029 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Appropriations</b>	\$0	\$0	\$0	\$0	\$0	\$0

- B. County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2023 - 2025 Biennium	2025 - 2027 Biennium	2027 - 2029 Biennium
<b>Counties</b>	\$0	\$0	\$0
<b>Cities</b>	\$0	\$0	\$0
<b>School Districts</b>	\$0	\$0	\$0
<b>Townships</b>	\$0	\$0	\$0

2. **A. Fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

HB 1127, passed in the 2019 legislative session, creating authority to establish rules to aid in the determination of name availability for business registration that are “distinguishable in the record,” moving away from the current standard of “deceptively similar.”

- B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

The Secretary of State’s FirstStop software (public and back office) is currently in the process of an upgrade. No additional costs are required as the new rules will be used in the programming of the system to accommodate the change to “distinguishable in the record.”

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A: Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

No change in revenue is expected. Current fees for business registrations will remain the same.

**B: Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

See 2.B. for details.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

No appropriation was provided to the Secretary of State to accommodate the creation of this new entity type with the passage of HB 1127 in the 2019 legislative session.

**Name:** Sandra McMerty  
**Agency:** Secretary of State  
**Telephone:** (701) 328- 3660  
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