



State Bar Association
of North Dakota

Legislative Highlights

66TH Legislative Assembly

May 2019

The legislators have come and gone! The 66th Legislative session finished its work on April 26th after being in session for 76 days. Under North Dakota's constitution, the legislature may meet for 80 days each biennium. That means the legislators could return to Bismarck for four days before the next legislative session in 2021.

Please see the Legislative Highlights Report for an update on the legislation that SBAND monitored this session

**Tony J. Weiler, Executive Director
State Bar Association of North Dakota**

Administrative Law

HB 1064	Relating to hearing officer services provided by the office of administrative hearings; relating to the appointment of administrative law judges; and to provide for application.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Passed	Passed	Signed

Attorneys

HB 1069	Relating to confidentiality provisions applicable to the commission on legal counsel for indigents.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Passed	Passed	Signed

HB 1070	Relating to the payment of witness fees, mileage, and travel expenses in juvenile court.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Passed	Passed	Signed

HB 1207	Relating to reasonable costs awarded to a defendant.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Passed	Failed	N/A

	Relating to rights of victims; relating to contact with victims, the definition of victim, and restitution.			
HB 1252	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
	Relating to sealing of criminal records.			
HB 1256	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
	Relating to sealing a criminal record of a driving under the influence offense.			
HB 1334	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
	Relating to treatment standards for victims and medical screening and acute forensic medical examinations; and relating to prosecution for sexual abuse of minors.			
HB 1425	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
	Relating to fees in civil cases			
HB 1516	SBAND Position: Support	House: Passed	Senate: Passed	Governor: Signed

Business / Corporations

	Relating to unattended motor vehicles; and to provide a penalty.			
HB 1058	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
	Relating to Sunday closing laws and retail agreements.			
HB 1097	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
	Relating to the names of cooperatives, corporations, limited liability companies, domestic and foreign real estate investment trusts, limited partnerships, fictitious partnerships, and limited liability partnerships; and to provide a contingent effective date.			
HB 1127	SBAND Position: Support	House: Passed	Senate: Passed	Governor: Signed
	Relating to consumer contract clauses and the use of certain marketing practices involving automatic renewal; to provide a penalty; and to provide for application.			
HB 1195	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
	Relating to contractual noncompete provisions.			
HB 1351	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
	Relating to corporate governance; and to provide a penalty.			
SB 2076	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed

Criminal Law

HB 1050	Relating to the placement of an individual in a drug and alcohol treatment program by the department of corrections and rehabilitation; and to provide a penalty. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1051	Relating to sentencing violent offenders; and to provide for retroactive application. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1179	Relating to the issuance of temporary restricted licenses to operators participating in the twenty-four seven sobriety program. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1183	Relating to mandatory sentences for offenses relating to controlled substances; relating to deferred imposition of sentence and suspension of sentence. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1185	Relating to petitions for revocation of probation; relating to reduction of felonies to misdemeanors by operation of law; and to provide a penalty.. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1206	Relating to possession of a concealed firearm or dangerous weapon at a public gathering. SBAND Position: Track	House: Passed	Senate: Failed	Governor: N/A
HB 1442	Relating to requiring reasonable suspicion for traffic stops. SBAND Position: Track	House: Passed	Senate: Failed	Governor: N/A
HB 1452	Relating to refusing to halt to a peace officer; and to provide a penalty. SBAND Position: Track	House: Passed	Senate: Failed	Governor: N/A
HB 1507	Relating to human trafficking prevention training and to provide a penalty. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
SB 2034	Relating to possession of firearms; and to provide a penalty. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed

SB 2060 Relating to the amount of statutory fees and the use of safety belts; relating to secondary enforcement of safety belt requirements; and to provide a penalty.
SBAND Position: Track **House:** Failed **Senate:** Passed **Governor:** N/A

SB 2071 Relating to restraining orders.
SBAND Position: Track **House:** Passed **Senate:** Passed **Governor:** Signed

SB 2087 Relating to record retention of civil commitment of sexually dangerous individuals.
SBAND Position: Track **House:** Passed **Senate:** Passed **Governor:** Signed

SB 2272 Relating to issuance of a tracking warrant for location information.
SBAND Position: Track **House:** Passed **Senate:** Passed **Governor:** Signed

SB 2273 Relating to sexual extortion; and relating to offenders against children, sexual offenders, and sexually violent predators.
SBAND Position: Track **House:** Passed **Senate:** Passed **Governor:** Signed

HCR 3015 A concurrent resolution directing the Legislative Management to consider studying best practices to reduce offender recidivism, increase educational opportunities, prepare incarcerated offenders to rejoin their communities, establish and implement a community transitional housing program, including independent host homes, and encourage communities to reintegrate previously incarcerated individuals into society.
SBAND Position: Track **House:** Passed **Senate:** Passed **Governor:** N/A

Education Services

HB 1003 To provide an appropriation for defraying the expenses of the North Dakota University System; matching grants for the University of North Dakota School of Law.
SBAND Position: Track **House:** Passed **Senate:** Passed **Governor:** Signed

HB 1082 Relating to the prohibition on aiding and abetting sexual abuse; and to provide for a penalty.
SBAND Position: Track **House:** Passed **Senate:** Passed **Governor:** Signed

Family Law

HB 1038 Relating to required reports of a child placing agency.
SBAND Position: Track **House:** Passed **Senate:** Passed **Governor:** Signed

HB 1496	Relating to shared parenting time and responsibility. Track	SBAND Position: Track	House: Passed	Senate: Failed	Governor: N/A
SB 2051	Relating to the Uniform Nonparent Custody and Visitation Act; relating to grandparental rights of visitation; and to provide for application.	SBAND Position: Support	House: Passed	Senate: Passed	Governor: Signed
SB 2063	Relating to adoption of the Uniform Family Law Arbitration Act.	SBAND Position: Support	House: Passed	Senate: Passed	Governor: Signed
SB 2112	Relating to adoptive placement of children with special needs. Track	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
SB 2115	Relating to child support; and to provide a continuing appropriation. Track	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
SB 2185	Relating to termination of parental rights. Track	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
SB 2289	Relating to family visitation rights. Track	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed

Government Organization / Operation

HB 1035	Relating to initiated measures and election ballots. Track	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1036	Relating to fiscal impacts of referred measures. Track	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1037	Relating to campaign finance disclosure statements for measure committees. Track	SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1079	Relating to special assistant attorneys general. Track	SBAND Position: Track	House: Passed	Senate: Failed	Governor: N/A

HB 1109	Relating to the Uniform Unsworn Domestic Declarations Act; relating to the crime of perjury. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1110	Relating to the adoption of the Revised Uniform Law on Notarial Acts. SBAND Position: Support	House: Passed	Senate: Passed	Governor: Signed
HB 1145	Relating to limitations on the introduction of legislative bills prepared by executive branch agencies and the judicial branch. SBAND Position: Track	House: Passed	Senate: Failed	Governor: N/A
HB 1422	Relating to electronic notification of the administrative code. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1444	Relating to the authority of the county commission to compromise and settle debt obligations. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1521	Relating to reporting campaign contributions, restrictions on public officials and lobbyists, investigations of ethics violations, and implementing requirements of article XIV of the Constitution of North Dakota; relating to rulemaking procedures, disqualification of hearing officers and requirements for the North Dakota ethics commission; to provide for a penalty; to provide an appropriation; to provide an effective date; to provide an expiration date; and to declare and emergency. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
SB 2003	To provide an appropriation for defraying the expenses of the attorney general. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
SB 2033	Relating to legislative council drafting services for initiated measures. SBAND Position: Track	House: Passed	Senate: Failed	Governor: N/A
SB 2148	Relating to restrictions on public officials and lobbyists, investigations of ethics violations, and implementing requirements of article XIV of the Constitution of North Dakota; relating to rulemaking procedures and requirements for the North Dakota ethics commission; to provide for a legislative management study; to provide a penalty; and to provide an appropriation. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed

HCR 3007	A concurrent resolution to amend and reenact sections 2, 3, 5, 6, 7, 8, and 9 of article III of the Constitution of North Dakota, relating to an alternative process for enacting initiated measures.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Passed	Failed	N/A
HCR 3010	A concurrent resolution to amend and reenact section 9 of article III and section 16 of article IV of the Constitution of North Dakota, relating to constitutional amendments.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Passed	Failed	N/A
SCR 4001	A concurrent resolution to amend and reenact section 9 of article III of the Constitution of North Dakota, relating to the process for approving constitutional amendments.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Passed	Passed	N/A

Guardianship

HB 1378	Relating to supported decision making, a process for making well-informed, voluntary decisions by methods less restrictive than guardianship or conservatorship.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Passed	Passed	Signed
HB 1465	Relating to appointment of guardian ad litem in prosecution for sex offenses and solicitation offense; and to provide a penalty.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Passed	Passed	Signed
SB 2072	Relating to guardianships of minors.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Passed	Passed	Signed
SB 2073	Relating to guardianships of children.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Passed	Passed	Signed
HCR 3050	A concurrent resolution directing the Legislative Management to consider studying issues of fairness and equity as they relate to child support guidelines and the obligor model.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Failed	N/A	N/A

Insurance

HB 1055	Relating to motor vehicle body damage disclosure.			
	SBAND Position:	House:	Senate:	Governor:
	Track	Passed	Passed	Signed

HB 1072 Relating to cease and desist orders, relating to definitions, the removal of the word “annual”, off-setting premiums of the organizational seal, payroll reports, payment of premiums, premiums in default, notice of premium owing, liability of a general contractor, notices of decision, noncompliance of employers, and liability of uninsured employers, relating to safety and performance reviews; and to provide a penalty; and to provide for an application.

SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
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HB 1075 Relating to surplus lines insurance; and to declare an emergency.

SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
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SB 2077 Relating to the penalties and restitution for insurance fraud; to provide a penalty; and to provide an effective date.

SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
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Judicial System

HB 1002 To provide an appropriation for defraying the expenses of the judicial branch; and to provide for a transfer.

SBAND Position: Support	House: Passed	Senate: Passed	Governor: Signed
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HB 1022 To provide an appropriation for defraying the expenses of the commission on legal counsel for indigents.

SBAND Position: Support	House: Passed	Senate: Passed	Governor: Signed
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HB 1068 Relating to appointment of the supreme court reporter, the salary of the supreme court reporter, the location of the office of the supreme court reporter, duties of the supreme court reporter, and the sale and disposal of books and other library materials by the supreme court reporter.

SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
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HB 1147 Relating to the location of a proceeding before a municipal judge and the use of reliable electronic means.

SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
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HB 1164 Relating to drug court participation; and to provide a penalty.

SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
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HB 1244 Relating to city fines and penalties and jurisdiction of municipal judges; and to provide a penalty.

SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
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HB 1520	Relating to inspection of juvenile court records; relating to assessing mental fitness and capacity, disposition of delinquent child, and child sexual abuse assessment. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
SB 2066	Relating to the court facilities improvement advisory committee. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
SB 2067	Relating to appeals of election contest judgements. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
SB 2068	Relating to docketing of restitution judgements. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
SB 2069	Relating to powers and duties of the director of juvenile court. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
SB 2178	Relating to the term of municipal judge; and to declare an emergency. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed

Real Property / Probate

HB 1271	Relating to statements of full consideration being filed with the county recorder and transfer on death deed requirements. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1284	Relating to equitable buyouts of cotenant interests in an estate of inheritance subject to a partition; relating to partitions. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed
HB 1290	Relating to prohibiting entry onto private land without permission. SBAND Position: Track	House: Passed	Senate: Failed	Governor: N/A
HB 1302	Relating to the sale of property acquired by eminent domain or acquired when the property was eligible for taking by eminent domain, but no longer needed for a public purpose. SBAND Position: Track	House: Passed	Senate: Failed	Governor: N/A
SB 2070	Relating to priority among persons seeking appointment as a personal representative. SBAND Position: Track	House: Passed	Senate: Passed	Governor: Signed

SB 2205	Relating to abandoned property; relating to foreclosure of real estate.			
SBAND Position:		House:	Senate:	Governor:
Track		Passed	Passed	Signed

Miscellaneous

HB 1073	Relating to a pilot program to assess alternative forms of dispute resolution and the electronic submission of medical billings; relating to functional capacity examinations, medical examinations for full-time paid firefighters and law enforcement officers, licensing required for allied health care professionals, average weekly wage upon recurrence of disability, combined partial disability benefits, and medical noncompliance; relating to the organization seal; to provide a continuing appropriation; and to provide for application.			
SBAND Position:		House:	Senate:	Governor:
Track		Passed	Passed	Signed