

APR 24 2018

**Legal Advisory Unit**



(701) 328-2311  
Fax (701) 328-2173  
Toll Free (800) 472-2622  
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Doug Burgum, Governor  
Christopher Jones, Executive Director

April 24, 2018

Vonette Richter, Code Revisor  
North Dakota Legislative Council  
State Capitol  
Bismarck, ND 58505

RE: Proposed Amendments to N.D. Admin. Code Chapters 75-02-04 Child Support  
Division and 75-02-04.2 State Disbursement Unit

Dear Ms. Richter:

Enclosed for filing in the office of the Legislative Council is the Notice of Intent to Amend Administrative Rules concerning the above proposed rules as required by N.D.C.C. section 28-32-10. Also enclosed is a copy of the proposed rules.

We have requested publication of an abbreviated newspaper publication notice once in each official county newspaper which will notify the public that an oral hearing on these rules will be held on Thursday, May 31, 2018, beginning at 9:00 a.m. and continuing until 10:30 a.m. or until no further testimony is offered, whichever occurs first.

If you have any questions or concerns, please contact me at 328-2311. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Alm", is written over a blue ink stamp. The stamp contains the text "Jonathan Alm" and "Legal Advisory Unit" stacked vertically.

Jonathan Alm  
Legal Advisory Unit

JA/jgl

cc: Paulette Oberst, Child Support

Enclosures

NOTICE OF INTENT TO AMEND  
ADMINISTRATIVE RULES RELATING TO  
N.D.A.C. CHAPTERS 75-02-04 CHILD SUPPORT DIVISION AND  
75-02-04.2 STATE DISBURSEMENT UNIT

TAKE NOTICE that the North Dakota Department of Human Services will hold a public hearing to address proposed amendments to N.D. Admin. Code chapters 75-02-04 and 75-02-04.2 at 9:00 a.m. on Thursday, May 31, 2018, in Bismarck, N.D. in Room 210, located on the second floor of the Judicial Wing of the State Capitol.

The proposed amendments to N.D. Admin. Code chapter 75-02-04.2, State Disbursement Unit, are necessary, in part, to comply with federal law, namely, the Bipartisan Budget Act of 2018, section 53117, Modernization Child Support Enforcement Fees.

The proposed changes are as follows:

**Chapter 75-02-04** is being repealed as the chapter has become obsolete due to the passage of time.

**Section 75-02-04.2-02** is being amended to comply with federal and state statutory requirements regarding annual fees. As a result of the language attached to the federal budget continuing resolution, the proposed rules implement the express federal requirement to impose a thirty-five dollar annual fee in applicable IV-D cases. The proposed amendment also implements the requirement under state law, N.D.C.C. § 14-09-09.36, to impose a higher fee, on an annual basis, on non-IV-D cases. The proposed rule amends the monthly fee from two dollars and ten cents a month to five dollars a month.

The proposed amendments are anticipated to have an impact on the regulated community in excess of \$50,000. No taking of real property is involved in this rulemaking action.

Copies of the proposed rules are available for review at county social services offices and at human service centers. Copies of the proposed rules and the regulatory analysis relating to these rules may be requested by telephoning (701) 328-2311. Written or oral data, views, or arguments may be entered at the hearing or sent to: Rules Administrator, North Dakota Department of Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Dept. 325, Bismarck, ND 58505-0250. Written data, views, or arguments on the proposed rules must be received no later than 5:00 p.m. on Monday, June 11, 2018.

ATTENTION PERSONS WITH DISABILITIES: If you plan to attend the hearing and will need special facilities or assistance relating to a disability, please contact the Department of Human Services at the above telephone number or address at least two weeks prior to the hearing.

Dated this 24th day of April, 2018.



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Doug Burgum, Governor  
Christopher Jones, Executive Director

April 24, 2018

RE: Proposed Amendments to N.D. Admin. Code Chapters 75-02-04 Child Support Division and 75-02-04.2 State Disbursement Unit.

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendments to N.D. Admin. Code chapters 75-02-04 Child Support Division and 75-02-04.2, State Disbursement Unit. The department has adopted procedures to assure public input into the formulation of the rules prior to adoption.

In conformity with those procedures, we are providing you with a copy of the proposed rules and are requesting that you provide any written data, views, or arguments no later than 5:00 p.m. on June 11, 2018.

The department has scheduled an oral hearing for Thursday, May 31, 2018. Further information concerning the public hearing is included in the attached notice of proposed rulemaking and public hearing.

Your participation is welcomed, as are your suggestions. Please send all written data, views, or arguments to: Rules Administrator, Department of Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Bismarck, ND 58505-0250.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Jones", is written over the word "Sincerely,".

Christopher Jones,  
Executive Director

CDJ/jgl

Enclosures

cc: Vonette Richter, Legislative Council  
Paulette Oberst, Child Support