

PROPOSED AMENDMENTS TO SENATE BILL NO. 2068

Page 1, line 1, after "reenact" insert "subsection 3 of section 27-08.1-01," replace the second "and" with a comma, and after "27-08.1-04" insert ", and 27-08.1-05"

Page 1, line 2, after "to" insert "small claims judgments and the" and after "actions" insert "; and to repeal section 27-08.1-06 of the North Dakota Century Code, relating to docketing and execution of small claims judgments"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 3 of section 27-08.1-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

3. Except for an action under subdivision e of subsection 2, the defendant may elect to remove the action to a small claims court in the defendant's county of residence. ~~No~~ A claim may not be filed by an assignee of that claim. ~~No~~ A garnishment or attachment may not issue from this court until after judgment is entered."

Page 2, after line 12, insert:

"SECTION 4. AMENDMENT. Section 27-08.1-05 of the North Dakota Century Code is amended and reenacted as follows:

27-08.1-05. Judgment. The court ~~will~~ shall enter a written judgment indicating its decision on all cases filed with the court on the basis of the evidence presented. A judgment must be entered even if either party fails to appear at the hearing. The court may award the costs of the action to the prevailing party. A judgment of the small claims court has the same force, effects, and attributes of a judgment of the district court.

SECTION 5. REPEAL. Section 27-08.1-06 of the 1995 Supplement to the North Dakota Century Code is repealed."

Renumber accordingly