

**SENATE BILL NO. 2106
with House Amendments**

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2106

Introduced by

Industry, Business and Labor Committee

(At the request of the Attorney General)

1 A BILL for an Act to create and enact a new subsection to section 5-02-02 of the North Dakota
2 Century Code, relating to payment of background check costs.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new subsection to section 5-02-02 of the North Dakota Century Code is
5 created and enacted as follows:

6 As a condition precedent to a background check, the attorney general may require
7 the applicant to pay, in advance, an estimated additional fee necessary to defray
8 the actual cost of a background check of a person for whom adequate background
9 information sources are not readily available. The estimated additional fee must
10 be placed in the attorney general's refund fund for use to defray the actual
11 expenses of the background check. The remainder of the funds must be returned
12 to the person within thirty days of the conclusion of the background check. In
13 addition, the attorney general may require the applicant or such other person
14 subject to a background check to execute a written consent if needed by the
15 attorney general to obtain background or criminal history information.