

HOUSE BILL NO. 1081

Introduced by

Industry, Business and Labor Committee

(At the request of the Department of Banking and Financial Institutions)

1 A BILL for an Act to amend and reenact section 13-04.1-02 of the North Dakota Century Code,
2 relating to money broker licenses.

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

4 **SECTION 1. AMENDMENT.** Section 13-04.1-02 of the 1999 Supplement to the North
5 Dakota Century Code is amended and reenacted as follows:

6 **13-04.1-02. Money broker license required.** Except as otherwise herein provided, a
7 person other than a money broker licensed and authorized under this chapter may not provide
8 loans, ~~consumer~~ or leases as a form of financing, or advertise; or solicit either in print, by letter,
9 in person, or otherwise in North Dakota, the right to find lenders or provide loans or ~~consumer~~
10 leases for persons or businesses desirous of obtaining funds for any purposes. As used in this
11 chapter, the term "money broker" does not include banks, credit unions, savings and loan
12 associations, insurance companies, small loan companies, consumer finance companies, state
13 or federal agencies and their employees, institutions chartered by the farm credit administration,
14 trust companies, or any other person or business regulated and licensed by the state of North
15 Dakota. The term "money broker" also does not include a real estate broker, broker, or a real
16 estate salesperson as defined in section 43-23-06.1 in the brokering of loans to assist a person
17 in obtaining financing for real estate sold by the real estate broker, broker, or real estate
18 salesperson. The term "money broker" also does not include any persons, retail sellers, or
19 manufacturers providing lease financing for their own property or inventory held as a normal
20 course of business, or to leases on any real property.