

Introduced by

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1 A BILL for an Act to provide the burden of proof in actions for certain credit card charges.

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

3 **SECTION 1. Unsolicited credit cards - Debt - Burden of proof.** In an action in which
4 a credit card company seeks payment from an individual for charges made to a credit card, if
5 the individual claims that the individual did not solicit the credit card, that the individual did not
6 enter into a contractual relationship with the credit card company for purposes of opening a
7 credit card account, and that charges made to the credit card were not made by the individual,
8 the credit card company bears the burden of proving by clear and convincing evidence that one
9 or more of the individual's claims is untrue before the action may proceed.