

HOUSE BILL NO. 1115

Introduced by

Industry, Business and Labor Committee

(At the request of Job Service North Dakota)

1 A BILL for an Act to amend and reenact section 52-01-03 of the North Dakota Century Code,
2 relating to the provision of unemployment insurance data to the United States census bureau;
3 and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 52-01-03 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **52-01-03. Disclosure of information.**

- 8 1. Except as otherwise provided in this section, information obtained from any
9 employing unit or individual pursuant to the administration of the North Dakota
10 Unemployment Compensation Law and determinations as to the benefit rights of
11 any individual must be held confidential and may not be disclosed or be open to
12 public inspection in any manner revealing the individual's or employing unit's
13 identity. Any claimant or claimant's legal representative must be supplied with
14 information from the records of the ~~job~~ unemployment insurance division, to the
15 extent necessary for the proper presentation of the claimant's claim in any
16 proceeding under the North Dakota Unemployment Compensation Law with
17 respect to the claim.
- 18 2. Subject to restrictions as the bureau by rule may prescribe, the information may be
19 made available to any agency of this or any other state, or any federal agency,
20 charged with the administration of any unemployment compensation law or the
21 maintenance of a system of public employment offices, or the bureau of internal
22 revenue of the United States department of the treasury, and information obtained
23 in connection with the administration of the employment service may be made
24 available to persons or agencies for purposes appropriate to the operation of a

1 public employment service. Upon a request, the bureau shall furnish to any
2 agency of the United States charged with the administration of public works or
3 assistance through public employment, and may furnish to any state agency
4 similarly charged, the name, address, ordinary occupation, and employment status
5 of each recipient of benefits and the recipient's rights to further benefits under the
6 North Dakota Unemployment Compensation Law. The bureau may request the
7 comptroller of the currency of the United States to cause an examination of the
8 correctness of any return or report of any national banking association, rendered
9 pursuant to the North Dakota Unemployment Compensation Law, and in
10 connection with the request, may transmit any report or return to the comptroller of
11 the currency of the United States as provided in subsection c of section 3305 of the
12 federal Internal Revenue Code. The bureau shall request and exchange
13 information for purposes of income and eligibility verification to meet the
14 requirements of section 1137 of the Social Security Act. Job service North Dakota
15 may enter into memoranda of understanding with the United States census bureau
16 to furnish unemployment insurance data to the census bureau and for sharing of
17 information with job service North Dakota.

18 3. The bureau may provide the workers compensation bureau, the ~~state~~
19 ~~commissioner of labor~~ commissioner, the department of commerce, the state tax
20 commissioner, and the North Dakota occupational information coordinating
21 committee with information obtained pursuant to the administration of the North
22 Dakota Unemployment Compensation Law. Any information so provided may be
23 used only for the purpose of administering the duties of the workers compensation
24 bureau, the ~~state commissioner of labor~~ commissioner, the state department of
25 commerce, the state tax commissioner, and the North Dakota occupational
26 information coordinating committee.

27 4. The bureau may provide any state agency or a private entity with the names and
28 addresses of employing units for the purpose of jointly publishing or distributing
29 publications or other information as provided in section 54-06-04.3. Any
30 information so provided may only be used for the purpose of jointly publishing or
31 distributing publications or other information as provided in section 54-06-04.3.

1 5. Whenever the bureau obtains information on the activities of a contractor doing
2 business in this state of which officials of the secretary of state, workers
3 compensation bureau, or the state tax commissioner may be unaware and that
4 may be relevant to duties of those officials, the bureau shall provide any relevant
5 information to those officials for the purpose of administering their duties.

6 6. The bureau shall request and exchange information as required ~~of the bureau~~ it
7 under federal law with any specified governmental agencies. Any information so
8 provided may be used only for the purpose of administering the duties of such
9 governmental agencies.

10 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.