

SENATE BILL NO. 2076

Introduced by

Industry, Business and Labor Committee

(At the request of the Labor Commissioner)

1 A BILL for an Act to amend and reenact section 14-02.4-22 of the North Dakota Century Code,
2 relating to the duties and powers of the labor department relating to human rights enforcement.

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

4 **SECTION 1. AMENDMENT.** Section 14-02.4-22 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **14-02.4-22. Duties and powers of department.**

7 1. The department shall receive and investigate complaints alleging violations of this
8 chapter. The department shall emphasize conciliation to resolve complaints.

9 2. The department, for the purpose of thoroughly investigating a complaint, may
10 require the attendance of witnesses and the production of books, records,
11 documents, data, or other objects at any hearing or with reference to any matter
12 that it has authority to investigate and may issue a subpoena for any witness or a
13 subpoena duces tecum to compel the production of any books, records,
14 documents, data, or other objects.

15 3. If a person refuses to obey a subpoena, the district court, upon application by the
16 department, may issue to the person an order requiring that person appear and
17 give evidence or otherwise produce documentary evidence requested by the
18 department regarding the matter under investigation.

19 4. A witness who is subpoenaed under this section and who appears at a hearing or
20 whose deposition is taken is entitled to receive the same fees and mileage as a
21 witness in a civil case in district court.

22 5. The department may adopt rules necessary to implement this chapter.

23 6. Within the limits of legislative appropriations, the department shall foster prevention
24 of discrimination under this chapter through education for the public, employers,

- 1 providers of public accommodations or services, and commercial lenders on the
2 rights and responsibilities provided under this chapter and ways to respect those
3 protected rights. ~~The department shall emphasize conciliation to resolve~~
4 ~~complaints.~~
- 5 7. The department shall publish in even-numbered years a written report
6 recommending legislative or other action to carry out the purposes of this chapter.
7 The department shall conduct studies relating to the nature and extent of
8 discriminatory practices in this state.