

TESTIMONY ON HOUSE BILL 1130

House Judiciary Committee

January 18, 2021

Daniel L. Gaustad, City Attorney, City of Grand Forks, ND

Chairman Koppelman and members of the House Judiciary Committee, my name is Daniel L. Gaustad and I am the City Attorney for the City of Grand Forks. I want to thank you for the opportunity to provide testimony and express the City of Grand Forks' support for HB 1130.

The City of Grand Forks, like many cities in North Dakota, relies on a municipal court for enforcement of the Grand Forks City Code. One of the enforcement mechanisms available to the municipal court is issuing fines and fees for violations of municipal ordinances. However, in some circumstances, when an individual is unable to pay the fines and fees, or simply forgets to make a payment, the municipal court then issues an order to show cause and bench warrant for the individual's arrest. This requires an appearance of the individual to explain the missed payment.

The passage of HB 1130 will give the Grand Forks Municipal Court the ability to treat a criminal monetary judgment for violation of a municipal ordinance as a civil judgment to prevent a cycle of Orders to Show Cause and warrants for failure to pay municipal fines. In turn, this will lessen the burden on municipal courts and jails for individuals who are only being arrested or made to appear because they are unable to pay fines/fees. In sum, HB 1130 will provide the municipal court with an option in these circumstances, other than Orders to Show Cause and warrants, for failure to pay fines and fees and alternative means of collecting such fines and fees.

The City of Grand Forks asks for a DO PASS for HB 1130.