

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1307

Introduced by

Representatives Glassheim, Mickelson

Senator Cook

1 A BILL for an Act to amend and reenact subsection 1 of section 57-38.3-02 and subsection 1 of
2 section 57-38.3-05 of the North Dakota Century Code, relating to claimant agencies for setoff of
3 income tax refunds.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 57-38.3-02 of the 1997
6 Supplement to the North Dakota Century Code is amended and reenacted as follows:

7 1. "Claimant agency" means the department of human services, job service North
8 Dakota, the workers compensation bureau, ~~or~~ the North Dakota guaranteed
9 student loan program, the industrial commission acting as the state housing
10 finance agency under chapter 54-17, or a housing authority created under section
11 23-11-02. On or before September first of each year, the state housing finance
12 agency shall conduct an election by mail among housing authorities of the state
13 and certify to the tax commissioner which housing authority received the greatest
14 number of votes and is capable of compliance with the duties of a claimant agency
15 under section 57-38.3-05. During the ensuing calendar year, the housing authority
16 certified as selected under this subsection shall act as the claimant agency for all
17 housing authorities for the purposes of submitting debtor information to the tax
18 commissioner for fund transfers and for providing notice to the debtor as required
19 by section 57-38.3-05.

20 **SECTION 2. AMENDMENT.** Subsection 1 of section 57-38.3-05 of the North Dakota
21 Century Code is amended and reenacted as follows:

22 1. Within a time specified by the commissioner, a claimant agency seeking to collect
23 a debt through setoff shall supply the information necessary, in a form and in the
24 manner prescribed by the commissioner, to identify each debtor whose refund is

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- 1 sought to be set off and certify the amount of the debt or debts owed by each ~~such~~
- 2 debtor.