

**Sixty-seventh Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 5, 2021**

HOUSE BILL NO. 1398  
(Representatives O'Brien, Lefor, D. Ruby, Strinden, Thomas)  
(Senators Kreun, J. Roers, Sorvaag)

AN ACT to create and enact a new section to chapter 34-01 of the North Dakota Century Code, relating to prohibitions on political subdivisions regulating paid family leave.

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

**SECTION 1.** A new section to chapter 34-01 of the North Dakota Century Code is created and enacted as follows:

**Paid family leave - Political subdivision prohibition.**

1. As used in this section:
  - a. "Employee" means an individual employed in this state by an employer.
  - b. "Employer" means a person that does business in this state. The term does not include a public employer.
  - c. "Paid family leave" includes employment benefits for an employee to take time off work to care for an ill family member or to bond with a new child entering the family.
  - d. "Public employer" means the state and each political subdivision of the state.
2. A political subdivision may not adopt or enforce an ordinance that requires an employer to provide to an employee paid family leave that exceeds the requirements of federal or state laws and rules.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1398.

House Vote:    Yeas 79            Nays 14            Absent 1

Senate Vote:    Yeas 39            Nays 7            Absent 1

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2021.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2021,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State