

Introduced by

Senators Barta, Klein, Patten

Representatives Vollmer, Warrey

1 A BILL for an Act to amend and reenact sections 32-09.1-05, 32-09.1-10, and 32-09.1-16 of the
2 North Dakota Century Code, relating to garnishments.

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

4 **SECTION 1. AMENDMENT.** Section 32-09.1-05 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **32-09.1-05. Service on office of management and budget - Fees.**

7 Service upon the state of North Dakota, or any state institution, department, or agency, as
8 garnishee, may be made upon the director of the office of management and budget, or the
9 director's authorized designee, in the manner provided by law for service in garnishment
10 proceedings, including the fee to be tendered and paid the office of management and budget for
11 making and filing an affidavit of disclosure in the amount of ~~twenty-five dollars~~forty dollars. The
12 fee must be deposited in the state treasury. The director of the office of management and
13 budget may provide for an optional electronic method of service for which disclosure fees are
14 not required.

15 **SECTION 2. AMENDMENT.** Section 32-09.1-10 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **32-09.1-10. Disclosure fees.**

18 In all garnishment proceedings, the plaintiff, when the garnishee summons is served upon
19 the garnishee, shall tender to the garnishee the sum of ~~twenty-five dollars~~forty dollars as the fee
20 for making an affidavit of disclosure.

21 **SECTION 3. AMENDMENT.** Section 32-09.1-16 of the North Dakota Century Code is
22 amended and reenacted as follows:

1 **32-09.1-16. Minimum judgment.**

2 ~~No~~A judgment may not be rendered against a garnishee if the judgment against the
3 defendant is less than ~~twenty-five dollars~~forty dollars, exclusive of costs, rather, the garnishee
4 shall be discharged.