



**Ben LaRocco**  
**Senior Director, Government Relations**

House Industry, Business and Labor (IBL) Public Hearing on January 20, 2025  
Testimony in Opposition to HB 1393

Mr Chairman, Members of the Committee, thank you for the opportunity to testify before the Committee today.

My Name is Ben LaRocco, and I'm the Senior Director of Government Relations for EarnIn, one of the largest providers of Earned Wage Access services, or EWA, in the country. Our mission is simple: creating a more worker friendly payroll system by giving workers access to the wages they have already earned when they need it instead of waiting for an arbitrary two or four week pay cycle.

In North Dakota, more than 7,400 residents have used our earned wage access product, including more than 3,500 last year. The top employers of our customers include: the military, especially the Air Force; Sanford Health; Walmart; and Trinity Health.

People are smart. They know how to manage their own money and choose the products that are best for them. Hard working families across the state are voting with their pocketbooks to choose EarnIn because it is safe and effective. The current business model empowers consumers because all fees are voluntary, and customers can reschedule or postpone their need to repay with no penalty if life happens and they can't repay. There are never any mandatory fees, credit checks, late fees, interest or credit reporting.

I'm speaking today in opposition to HB 1393, a bill that would essentially end the Earned Wage Access industry and force us to become a different product.

While EarnIn might solve the same consumer need, short term liquidity challenges, as existing financial products like payday loans or cash advances, it is fundamentally different. We are the consumer friendly alternative, and even left leaning states like California and the Obama CFPB have explicitly said EWA is not a payday loan. Five states have passed laws that say EWA is not a loan, and ALEC, NCOIL, and CSG model bills all similarly consider EWA to be a unique product. If North Dakota would like to regulate Earned Wage Access products, I would encourage you to look at the ALEC or CSG model bills, which we spent years working to write and adopt.

We are a new product that does not fit into existing regulatory frameworks. We strongly suggest that North Dakota consider a new framework, rather than trying to force us into an existing framework that does not fit, just because it is there.

Our customers are real people. People like you and me. They are not just numbers on a piece of paper or clever slogans. Members of the military, nurses, and warehouse workers trying to do the best with their lives. They've chosen EarnIn to help them, and we hope you will allow us to continue to do so.

Please oppose or amend HB 1393.

Thank you, and I'm happy to take any questions.