



North Dakota House Committee on Industry, Business, and Labor
600 E. Boulevard Avenue
Bismarck, North Dakota 58505

Re: Opposition to HB 1393

Dear Chair Warrey and Honorable Members of the House Industry Business and Labor Committee:

Thank you for your leadership and dedication to ensuring the financial well-being of North Dakota's workforce. My name is Molly Jones, and I am the head of public policy at Payactiv. I am writing to express my respectful opposition to HB 1393, which categorically misunderstands earned wage access (EWA) products.

EWA is an innovative financial product that enables North Dakota families to access their already earned wages before payday, empowering them to pay bills and cover emergencies without creating debt. Unlike payday loans, EWA services are non-recourse; there is no interest, late fees, or penalties, a user can cancel at any time; and they do not impact credit scores. They are designed to be a non-debt, low-cost alternative to payday loans.

Payactiv is proud to serve North Dakota workers for the past decade. We partner with over 200 employers who offer this as a benefit to their employees. Over 5,000 workers have chosen to use this product during their time of need. When partnering with an employer, we integrate into their time and attendance and payroll systems to make an accessible balance available to employees. Only wages they have already earned are available to access. They can choose from five free options or one paid option (up to \$3.49) to access their desired amount. That amount is then deducted from their paycheck as a line-item on payday. As a worker only accesses earned wages, no debt is created, there is no interest, no late fees, or penalties.

EWA is a vital tool for many North Dakotans, especially as inflation and rising costs of living put increased strain on working families. Over half of Americans live paycheck-to-paycheck, and many lack the savings to cover unexpected expenses like medical bills or car repairs. EWA provides a responsible, accessible, and flexible alternative to high-cost debt products.

North Dakota has the opportunity to craft fair and balanced regulations that protect consumers while encouraging responsible financial tools. I urge you to reject this bill as currently written and instead work toward a framework that mirrors the successful, pro-worker approaches taken by states like Missouri, Nevada, and South Carolina.

Thank you for your consideration of this important issue.

Sincerely,

Molly Jones

Head of Public Policy, Payactiv