

# DEBTOR AND CREDITOR RELATIONSHIP

## CHAPTER 131

SENATE BILL NO. 2398  
(Strand, Krauter, Christensen, Pietron)

### CONSUMER FINANCE ACT LOAN MAXIMUM

AN ACT to amend and reenact section 13-03.1-03 and subsection 1 of section 13-03.1-15 of the North Dakota Century Code, relating to the maximum loan ceiling.

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

SECTION 1. AMENDMENT.) Section 13-03.1-03 of the 1975 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

13-03.1-03. SCOPE.) Persons licensed under the provisions of this chapter may engage in the business of lending in amounts of more than one thousand dollars and not more than three thousand five hundred dollars and contract for, exact, or receive, directly or indirectly, on or in connection with any such loan, any charges whether for interest, compensation, consideration, or expense, which in the aggregate are greater than that permitted by section 47-14-09. This chapter shall not apply to loans made under the Small Loans Act of 1959 approved at the election of June 29, 1960, as amended, but persons licensed under that act may obtain licenses to make loans under this chapter.

SECTION 2. AMENDMENT.) Subsection 1 of section 13-03.1-15 of the 1975 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. Every licensee may make loans, including revolving loans, in any principal amount not less than one thousand dollars and not more than three thousand five hundred dollars, and may contract for, receive, or collect on such loans, charges not in excess of one and one-half percent per month on the unpaid balance of principal. For the purpose of computing charges for a fraction of a month, whether at the maximum rate or less, every month shall be deemed to have thirty days and a day shall be considered one-thirtieth of a month.

## CHAPTER 132

SENATE BILL NO. 2471  
(Jones)

## INSTALLMENT LOAN BANK CHARGES

AN ACT to amend and reenact section 13-04-01 of the North Dakota Century Code, relating to installment loan bank charges.

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

SECTION 1. AMENDMENT.) Section 13-04-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

13-04-01. INSTALLMENT BANK LOAN CHARGES.) Any bank organized under the laws of this state and under the jurisdiction and supervision of the state banking board, or any national banking association doing business in the state, making any loan of money not exceeding twenty-five thousand dollars repayable in installments, may make a charge for such loan computed at a rate not exceeding twelve per cent simple interest per annum upon the unpaid balance of the loan from the date thereof until the stated maturity date of the final installment thereof, which shall not exceed fifteen years and thirty-two days from the date of the loan, notwithstanding that such loan is required to be repaid in installments or that the loan is secured by mortgage, pledge, or other collateral, except that this chapter shall not apply to loans secured by realty. Any charge authorized by this chapter may be included in the principal amount of the note or other instrument evidencing said loan and the aggregate amount thereof be payable in installments.

The minimum charge for any loan hereunder may be fifteen dollars.

Approved April 20, 1977