2023 HOUSE JUDICIARY

HB 1291

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1291
1/25/2023

Relating to execution of a judgment.

Chairman Klemin opened the hearing on HB 1291 at 2:30 PM. Members present: Chairman Klemin, Vice Chairman Karls, Rep. Bahl, Rep. Christensen, Rep. Cory, Rep. Henderson, Rep. S. Olson, Rep. Rios, Rep. S. Roers Jones, Rep. Satrom, Rep. Schneider, Rep. VanWinkle, Rep. Vetter

Discussion Topics:

- Language change from ten to twenty years
- Execution of judgement

Rep. Dockter: Introduced the bill. Testimony # 16846

Hearing closed at 2:42 PM.

Vice Chairman Karls will check with Legislative Counsel to get the wording right for the extension of twenty years.

Meeting closed at 2:50 PM.

Delores Shimek, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1291
1/31/2023

Relating to execution of a judgment.

Chairman Klemin opened the meeting on HB 1291 at 3:33 PM**.** Members present: Chairman Klemin, Vice Chairman Karls, Rep. Bahl, Rep. Christensen, Rep. Cory, Rep. Henderson, Rep. S. Olson, Rep. Rios, Rep. S. Roers Jones, Rep. Satrom, Rep. Schneider, Rep. VanWinkle, Rep. Vetter

Discussion Topics:

- Length of time for judgement
- Committee action

Representative Karls Moved a Do Pass on HB 1291.

Representative Roers Jones seconded.

Roll Call Vote:

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Landon Bahl	AB
Representative Cole Christensen	Y
Representative Claire Cory	Y
Representative Donna Henderson	Y
Representative SuAnn Olson	Y
Representative Nico Rios	Y
Representative Shannon Roers Jones	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	Y
Representative Lori VanWinkle	Y
Representative Steve Vetter	Y

Motion carried 12-0-1.

Representative Christensen carrier.

Meeting closed at 3:36 PM.

Delores Shimek, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1291: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1291 was placed on the Eleventh order on the calendar.

2023 SENATE JUDICIARY

HB 1291

2023 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

HB 1291
3/8/2023

A bill relating to execution of a judgment.

9:29 AM Chairman Larson opened the meeting.

Chairman Larson and Senators Paulson, Sickler, Braunberger, Estenson, Luick and Myrdal are present.

Discussion Topics:

- Clerk of Court
- Filings
- Reduced paperwork

9:29 AM Representative Dockter introduced the bill.

9:31 AM Chairman Larson closed the public hearing.

9:31 AM Senator Myrdal moves to Do Pass the bill. Motion seconded by Senator Luick.

9:31 am Roll call vote is taken.

Senators	Vote
Senator Diane Larson	Y
Senator Bob Paulson	Y
Senator Jonathan Sickler	Y
Senator Ryan Braunberger	Y
Senator Judy Estenson	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion passes 7-0-0.

Senator Sickler will carry the bill.

This bill does not affect workforce development.

9:33 AM Chairman Larson closed the meeting.

Rick Schuchard, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1291: Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1291 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

TESTIMONY

HB 1291

23.0918.01000

Sixty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1291

Introduced by

Representative Dockter

A BILL for an Act to amend and reenact section 28-21-01 of the North Dakota Century Code, relating to execution of a judgment.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 28-21-01 of the North Dakota Century Code is amended and reenacted as follows:

28-21-01. Execution at any time within ~~ten~~twenty years.

A judgment creditor or the party's duly appointed personal representatives at any time within ~~ten~~twenty years after the entry of judgment may proceed to enforce the judgment by execution as provided in this chapter. If the judgment creditor in a mortgage foreclosure does not proceed within sixty days after entry of judgment in the foreclosure to serve a special execution and proceed without delay to a sheriff's sale, any other lienholder or other interested person may obtain the special execution and proceed to arrange for a sheriff's sale.