

Fifty-sixth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2080

Introduced by

Judiciary Committee

(At the request of the Supreme Court)

1 A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 27-10-01.3 of
2 the North Dakota Century Code, relating to contempt of court in child or spousal support
3 actions.

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

5 **SECTION 1. AMENDMENT.** Subdivision a of subsection 1 of section 27-10-01.3 of the
6 1997 Supplement to the North Dakota Century Code is amended and reenacted as follows:

7 a. The court on its own motion or motion of a person aggrieved by contempt of
8 court may seek imposition of a remedial sanction for the contempt by filing a
9 motion for that purpose in the proceeding to which the contempt is related.
10 The court, after notice and hearing, may impose a remedial sanction
11 authorized by this chapter. In a proceeding to impose a remedial sanction for
12 failure to pay child or spousal support, an order to pay support is prima facie
13 evidence the obligor has the ability to pay, and the burden of persuasion is
14 upon the obligor to prove inability to pay the support ordered.