

Introduced by

Judiciary Committee

(At the request of the Labor Commissioner)

1 A BILL for an Act to amend and reenact section 14-02.5-13 of the North Dakota Century Code,
2 relating to the duties and powers of the labor department relating to housing discrimination.

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

4 **SECTION 1. AMENDMENT.** Section 14-02.5-13 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **14-02.5-13. Duties and powers of department.**

- 7 1. The department shall administer this chapter. The department may adopt rules
8 necessary to implement this chapter, but substantive rules adopted by the
9 department must impose obligations, rights, and remedies that are the same as
10 are provided in federal fair housing regulations.
- 11 2. For the purpose of thoroughly investigating a complaint, the department may
12 require the attendance of a witness and the production of a book, record,
13 document, data, or other object at any hearing or with reference to any matter the
14 department has the authority to investigate. If under this subsection a witness fails
15 or refuses to appear or to produce, the department may issue a subpoena to
16 compel the witness to appear or a subpoena duces tecum to compel the witness to
17 appear and produce a relevant book, record, document, data, or other object.
- 18 3. If a person refuses to obey a subpoena, the district court, upon application by the
19 department, may issue to the person an order requiring that person appear and
20 give evidence or otherwise produce documentary evidence requested by the
21 department regarding the matter under investigation.
- 22 4. A witness who is subpoenaed under this section and who appears at a hearing or
23 whose deposition is taken is entitled to receive the same fees and mileage as a
24 witness in a civil case in district court.

Sixtieth
Legislative Assembly

- 1 5. Within the limits of legislative appropriations, the department shall foster
2 prevention of discrimination under this chapter through education for the public,
3 landlords, publishers, realtors, brokers, lenders, and sellers on the rights and
4 responsibilities provided under this chapter and ways to respect those protected
5 rights.
6 6. The department shall emphasize conciliation to resolve complaints.