

**Sixty-sixth Legislative Assembly of North Dakota  
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1193

(Representatives Johnston, Becker, Devlin, B. Koppelman, Lefor, Marschall, D. Ruby, Schatz)  
(Senators Kreun, O. Larsen, J. Roers, Sorvaag)

AN ACT to create and enact a new section to chapter 34-06 of the North Dakota Century Code, relating to a living wage mandate prohibition for political subdivisions; and to provide for application.

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

**SECTION 1.** A new section to chapter 34-06 of the North Dakota Century Code is created and enacted as follows:

**Living wage mandate prohibition - Political subdivisions.**

1. As used in this section:
  - a. "Employ" has the same meaning as provided under section 34-06.1-02.
  - b. "Employer" includes a person acting directly or indirectly in the interest of an employer in relation to an employee. The term may include a public agency, other than the federal government, and an employer that has a contract or subcontract with a political subdivision or that has received tax abatements, loan guarantees, or other financial assistance from the political subdivision.
  - c. "Living wage mandate" means a requirement enacted by a political subdivision which requires an employer to pay any or all of the employees of the employer a wage rate not otherwise required under the law of this state or federal law.
  - d. "Political subdivision" includes a city, county, township, school district, or any other local government of this state.
2. A political subdivision may not enact, maintain, or enforce by charter, ordinance, purchase agreement, contract, regulation, rule, or resolution a living wage mandate in an amount greater than the applicable minimum wage rate of this state.

**SECTION 2. APPLICATION.** This Act applies to a living wage mandate, regardless of whether enacted before or after the effective date of this Act.

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1193.

House Vote:      Yeas 73              Nays 20              Absent 1

Senate Vote:    Yeas 35              Nays 11              Absent 1

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2019,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State