

Introduced by

Finance and Taxation Committee

(At the request of the North Dakota University System)

1 A BILL for an Act to amend and reenact subsection 1 of section 57-38.3-02 of the North Dakota
2 Century Code, relating to setoff of income tax refund for debts owed to the state; and to provide
3 an effective date.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 57-38.3-02 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 1. "Claimant agency" means the department of human services, job service North
8 Dakota, workforce safety and insurance, state institutions of higher education, the
9 North Dakota student loan service center, the insurance commissioner, the North
10 Dakota guaranteed student loan program, the industrial commission acting as the
11 state housing finance agency under chapter 54-17, a housing authority created under
12 section 23-11-02, or the state court administrator on behalf of the state courts for
13 purposes of court-ordered fines, fees, or costs due the state. On or before September
14 first of each year, the state housing finance agency shall conduct an election by mail
15 among housing authorities of the state and certify to the tax commissioner which
16 housing authority received the greatest number of votes and is capable of compliance
17 with the duties of a claimant agency under section 57-38.3-05. During the ensuing
18 calendar year, the housing authority certified as selected under this subsection shall
19 act as the claimant agency for all housing authorities for the purposes of submitting
20 debtor information to the tax commissioner for fund transfers and for providing notice
21 to the debtor as required by section 57-38.3-05.

22 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
23 December 31, 2018.