

## **In Re: House Bill 1307**

House Human Services Committee

Erica Thunder, Commissioner, North Dakota Department of Labor and Human Rights

Neutral Testimony

01/19/2021

Chairman Weisz and members of the Human Services Committee,

My name is Erica Thunder, and I serve as the Commissioner for the North Dakota Department of Labor and Human Rights. I am here today to listen into the discussion and answer questions neutrally, as HB 1307 discusses the term “public accommodations”.

The Department of Labor and Human Rights is responsible for enforcing the North Dakota Human Rights Act and the North Dakota Housing Discrimination Act. These laws prevent discrimination in employment, housing, public accommodation, public service, and credit transactions or lending. The Department accepts, hears, and investigates claims that include public accommodation.

The Department is looking for clarity as the full definition of public accommodation is not included in this Bill. The full definition of public accommodation under NDCC 14-02.4-02.14 is: "Public accommodation" means every place, establishment, or facility of whatever kind, nature, or class that caters or offers services, facilities, or goods to the general public for a fee, charge, or gratuity. "Public accommodation" does not include a bona fide private club or other place, establishment, or facility which is by its nature distinctly private; provided, however, the distinctly private place, establishment, or

facility is a "public accommodation" during the period it caters or offers services, facilities, or goods to the general public for a fee, charge, or gratuity.

Again, this section of Century Code speaks specifically to the work of the North Dakota Department of Labor and Human Rights.

I am here to testify neutrally, if so needed, and will be happy to answer any questions should the Committee ask. If I am unable to answer a question specifically for today's purposes, I will promptly work to provide an answer to the Committee.

Thank you,

*Erica Thunder*

Erica Thunder  
Commissioner  
North Dakota Department of Labor and Human Rights