

Sixty-ninth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1495**

Introduced by

Representatives Foss, Bahl, Finley-DeVille

Senator Braunberger

1 A BILL for an Act to amend and reenact section 54-03-27 of the North Dakota Century Code,  
2 relating to leaves of absence from employment for members of the legislative assembly.

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

4 **SECTION 1. AMENDMENT.** Section 54-03-27 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **54-03-27. Service in the legislative assembly - Leave of absence from employment.**

7 ~~The executive officer in charge of a state agency, department, or institution or the governing~~  
8 ~~body of any political subdivision or any other employer in this state may~~

9 1. In this section, "employer" means any person that pays salary or wages for work  
10 performed.

11 2. At an employee's request, an employer shall grant a leave of absence from  
12 employment to a full-time employee of that governmental entity or of that employer  
13 who is a member of the legislative assembly for service during any regular or special  
14 session of the legislative assembly and for attendance at a meeting of the legislative  
15 management or any of its committees.

16 3. The leave of absence may be without pay, and the employer may reduce or eliminate  
17 the payment of any additional benefits normally due the employee while the employee  
18 is performing legislative service. If the leave of absence is granted, the employer but  
19 the employer shall employ the employee in the same position, without loss of status or  
20 seniority, and with equivalent pay and accumulation of benefits, including retirement  
21 and leave benefits, following the leave of absence as the employee had before the  
22 leave of absence.

- 1       4.   An employer may not terminate or threaten to terminate the employment of an
- 2       employee solely due to the ~~fact that the employee is absent~~employee's absence from
- 3       employment as the result of service in the legislative assembly.
- 4       5.   An employer may not discriminate against an employee solely due to the employee
- 5       being a candidate in an election for a seat in the legislative assembly.