

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2310
(Senators Barta, Klein, Patten)
(Representatives Vollmer, Warrey)

AN ACT to amend and reenact sections 32-09.1-05, 32-09.1-10, and 32-09.1-16 of the North Dakota Century Code, relating to garnishments.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 32-09.1-05 of the North Dakota Century Code is amended and reenacted as follows:

32-09.1-05. Service on office of management and budget - Fees.

Service upon the state of North Dakota, or any state institution, department, or agency, as garnishee, may be made upon the director of the office of management and budget, or the director's authorized designee, in the manner provided by law for service in garnishment proceedings, including the fee to be tendered and paid the office of management and budget for making and filing an affidavit of disclosure in the amount of ~~twenty-five dollars~~forty dollars. The fee must be deposited in the state treasury. The director of the office of management and budget may provide for an optional electronic method of service for which disclosure fees are not required.

SECTION 2. AMENDMENT. Section 32-09.1-10 of the North Dakota Century Code is amended and reenacted as follows:

32-09.1-10. Disclosure fees.

In all garnishment proceedings, the plaintiff, when the garnishee summons is served upon the garnishee, shall tender to the garnishee the sum of ~~twenty-five dollars~~forty dollars as the fee for making an affidavit of disclosure.

SECTION 3. AMENDMENT. Section 32-09.1-16 of the North Dakota Century Code is amended and reenacted as follows:

32-09.1-16. Minimum judgment.

~~No~~A judgment may not be rendered against a garnishee if the judgment against the defendant is less than ~~twenty-five dollars~~forty dollars, exclusive of costs, rather, the garnishee shall be discharged.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2310.

Senate Vote: Yeas 46 Nays 0 Absent 1

House Vote: Yeas 78 Nays 12 Absent 4

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State