



American Fintech Council Testimony

TO: North Dakota Senate Industry & Business Committee

FROM: Ashley Urisman, Director- State Government Affairs, American Fintech Council (AFC)

DATE: March 11, 2025

SUBJECT: House Bill 1393

***Position: Support.***

***Testimony:***

Thank you Chair Barta, Vice-Chair Boehm, and members of the Senate Industry & Business Committee. My name is Ashley Urisman, and I am the Director of State Government Affairs for the American Fintech Council (AFC). I am testifying today in support of the current version of House Bill 1393 (HB 1393).

AFC is the premier trade association representing the largest financial technology (Fintech) companies and innovative banks, including the biggest providers and largest number of Earned Wage Access (EWA) companies. Our mission is to promote a transparent, inclusive, and customer-centric financial system by supporting responsible innovation in financial services and encouraging sound public policy.

EWA is an innovative financial tool that empowers workers to access their wages in a way that best fits their lifestyle, freeing them from arbitrary payroll cycles. Users can opt to access EWA through their employers, as stand-alone products, or as part of a subscription. EWA is not a loan and should not be regulated as such. As a distinct financial product, EWA must be governed by distinct regulations. This bill shapes a regulatory framework for responsible companies to be licensed in North Dakota to safely offer EWA to workers in the state.

To ensure that EWA providers safely and effectively serve consumers, AFC has established clear standards on what constitutes a responsible EWA product. Our standards require

- A voluntary no-cost option be made available for all users;
- Fees are disclosed or represented in a clear and transparent manner;
- No underwriting or credit checks
- Ability for users to cancel the service at any time, meaning it does not have to be repaid.

The provisions of HB 1393 reflect these standards. If passed, HB 1393 will provide a critical financial choice for North Dakota workers and allow responsible EWA services to flourish in this state. This bill will help workers access their pay by giving providers a clear and functional regulatory path that recognizes the nuances of the service.

In closing, I applaud the North Dakota legislature for taking up this issue in a timely manner and seeking a pragmatic solution to regulation. I am happy to answer any questions you may have.