North Dakota Legislative Council

Prepared by the Legislative Council staff
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TESTIMONY - TECHNICAL CORRECTIONS BILL DRAFT - INTERIM JUDICIARY COMMITTEE

This testimony is provided in favor of the technical corrections bill draft [27.0236.01000] prepared by the Legislative Council for the interim Judiciary Committee. This bill draft is the Legislative Council's technical corrections bill, which is prepared each legislative session to make corrections to the North Dakota Century Code to address improper, inaccurate, redundant, missing, or obsolete references.

EXPLANATION OF THE BILL DRAFT

The bill draft provides the following technical corrections:

- Section 1 of the bill draft corrects a cross-reference to Chapter 23-9, resulting from a typographical error. The reference is corrected to reference Chapter 23-09, which relates to food and lodging establishments and assisted living facilities.
- Section 2 of the bill draft corrects a minor drafting error related to the location of the word "assets" as it relates to credit union and cooperative financial institution assets.
- Section 3 of the bill draft corrects an inaccurate cross-reference to Section 44-04-18.7(4), resulting from a numbering error. The reference is corrected to reference Section 44-04-18.7(5), which provides the definition of "criminal justice agency."
- Section 4 of the bill draft corrects an inaccurate cross-reference to Section 12.1-27.2-01(4), resulting from a numbering error. The reference is corrected to reference Section 12.1-27.2-01(6), which relates to the definition of "sexual conduct."
- Section 5 of the bill draft corrects an inaccurate cross-reference to Section 14-07.7-03(1), resulting from a typographical error during the relocation of provisions related to civil protection orders from various other areas of the Century Code to Chapter 14-07.7. The reference is corrected to Section 14-07.7-17, which relates to violations of a civil protection order.
- Section 6 of the bill draft corrects an inaccurate cross-reference to Section 15.1-09-33, resulting from a typographical error. The reference is corrected to Section 15.1-19-03.1, which relates to the recitation of the pledge of allegiance in schools.
- Section 7 of the bill draft removes the word "certify" in Section 15.1-21-12.2 to correct a typographical error that remained after restructuring of the sentence.
- Section 8 of the bill draft corrects punctuation issues present in the section.
- Sections 9 and 10 of the bill draft update references to a federal law pertaining to the certificate of ascertainment which was relocated to 3 U.S.C. 5 following the passage of the Electoral Count Reform Act in 2022.
- Section 11 of the bill draft removes language referencing protected health information received or maintained under Chapter 23-01.1. Chapter 23-01.1 was repealed following the enactment of House Bill 1036 (2013), effective August 1, 2015.
- Section 12 of the bill draft corrects an inaccurate cross-reference to Section 23.1-01-04.1. No such section exists. The reference is corrected to reference Section 23.1-01-04, which relates to the Department of Environmental Quality's rulemaking authority.

- Section 13 of the bill draft corrects an inaccurate cross-reference to Section 39-03-14.2. No such section exists. The reference is corrected to reference Section 39-03.1-14.2, which relates to benefit payments to an alternate payee under a qualified domestic relations order.
- Section 14 of the bill draft relates to agencies or divisions of agencies exempt from certain regulatory analysis requirements for administrative rulemaking. Among the agencies and divisions listed in Section 28-32-08.1(5) is the Real Estate Trust Account Committee, which was repealed by House Bill 1258 (2021). Section 14 of the bill draft removes the reference to the repealed committee.
- Sections 15, 20, and 21 relate to the transition of certain responsibilities for publishing and distributing the Session Laws, compilations, and codifications of the laws passed by the Legislative Assembly from the Secretary of State to the Legislative Council. House Bill 1002 (2025) transferred a number of these responsibilities, but certain provisions were inadvertently omitted, described below.
  - Section 15 of the bill draft transfers the responsibility to send quarterly updates of the North Dakota Administrative Code to certain recipients from the Secretary of State to the Legislative Council.
  - Section 20 of the bill draft transfers responsibilities related to distribution of the Century Code publications to members of the Legislative Assembly from the Secretary of State to the Legislative Council.
  - Section 21 of the bill draft removes duties related to distribution of laws, resolutions, and journals to those entitled to receive the publications pursuant to law or rule from the list of Secretary of State duties listed in Section 54-09-02.
- Section 16 removes an incorrect cross-reference to Section 32-29.3-30, resulting from a typographical error. No such section exists.
- Section 17 of the bill draft corrects an inaccurate cross-reference to Section 57-15-10(5), resulting from a numbering error. The reference is corrected to reference Section 57-15-10(4), which relates to levy authority for a library fund as provided in Section 40-38-02.
- Section 18 of the bill draft corrects an inaccurate cross-reference to Section 11-18-23.2. No such section exists. The reference is corrected to reference Section 11-18-23, which relates to filing or recording documents with Social Security numbers.
- Section 19 of the bill draft corrects an inaccurate cross-reference to Section 45-22-22.1(5). No such subsection exists. The reference is corrected to reference Section 45-22-21.1(5), which relates to revocation of a domestic limited liability partnership registration.
- Section 22 of the bill draft removes two obsolete reporting requirements for the Office of Management and Budget. The first reporting requirement was required to be prepared and submitted to the Legislative Council by October 1, 2010. The second reporting requirement related to salary increases between April 1, 2021, and June 30, 2023.
- Section 23 of the bill draft corrects an inaccurate cross-reference to Section 54-44.8-10. No such section exists. The reference is corrected to reference Section 54-44.8-08, which relates to the telephone access line and radio communications access surcharge.