



LEGISLATIVE UPDATES



January 24, 2025

Update No. 3

Whether it was because everyone was still a little groggy from the weekend's inaugural festivities or because several legislators and other officials were in Washington, D.C. attending President Trump's inauguration, this week started off a little slower than the last two. That didn't stop Representatives from dropping a whole lot of bills by the end of Monday – their deadline to do so – however. When all the dust had settled, a total of 628 House Bills and Resolutions had been introduced. While that isn't an overall record, it is the highest count in recent history. I did a little bit of digging, and I had to go all the way back to 1989 to find a higher House total (765). That year the total for all bills and resolutions introduced was 1,384. OOF. The good news is we don't seem to be on pace to hit that total. Senators have only introduced 362 bills and resolutions so far (making our running total 990), but have until the end of the day Monday to submit any remaining bills. Legislative Council said this week they still had somewhere around 900 bills "in process", which means those bills had been drafted and were in the computer system, but for whatever reason, legislators had not clicked "submit" yet. Maybe they were still making some language changes or looking for sponsors, maybe they were just waiting, or maybe they had decided against introducing the bill. We won't know for sure how many of those bills will get introduced and how many are destined to linger in kind of digital purgatory forever until sometime next week.

In addition to being busy at the Capitol, we are also preparing for the upcoming **ICBND Day at the Capitol** on February 12. We hope that someone from your institution has already registered (or will soon!) for this new and exciting event. ICBND's Board of Directors and Emerging Leaders will meet with and hear from Governor Kelly Armstrong, Legislative Leadership, DFI Commissioner Lisa Kruse, and BND President & CEO Don Morgan for an exclusive breakfast on the 18th floor of the State Capitol before attending committee hearings and floor session later in the day. For more information and to register, please visit <https://www.icbnd.com/events/day-at-the-capitol>.

UPDATES FROM ICBND'S PRIORITY TRACKING LIST

We have just a few bills scheduled to be heard next week, and most we are neutral on. **SB 2310**, the garnishment increase bill, is scheduled for Monday. **SB 2028**, the bill that changes DFI's budget approval process, will be heard in the House already on Tuesday. The same day the cooperative bank charter bill **HB 1507**, will be heard in House IBL. ICBND is neutral on that bill. Most of our time next week will be spent committee stalking – watching, waiting, listening, and hoping for committees to

amend or act on the bills we've been working on over the last couple of weeks. If that happens, we may have some floor votes to work as well. Those issues include bills heard this week, like:

HB 1378

HB 1378, a bill that would require lenders to pay interest on escrow accounts and provide reports to the Department of Financial Institutions, was heard in House IBL on Monday. If a lender failed to pay interest on eligible escrow accounts, they would be subject to civil penalties determined by the department and suspension of business operations until they came into compliance. ICBND, Commissioner Kruse, the ND Housing Finance Agency, and NDBA all testified in opposition to the bill. The only support was the bill's prime sponsor, Representative Jorin Johnson. Rep. Johnson has proposed some amendments to the bill that would remove the penalties and lessen the reporting requirements, but we continue to oppose the idea of mandating interest payments on escrow accounts. Only 13 other states mandate minimum interest payments on escrow accounts. The committee has not yet acted on the bill.

HB 1447

On Wednesday we again spent the morning with the House IBL committee. This time, we were talking about a couple of the bills on our "alternative currency" list. Up first was HB 1447, the virtual currency kiosk bill. The bill creates a robust set of consumer protections and regulations for virtual currency kiosks and was introduced by Representative Swiontek. The AARP, Commissioner Kruse, ICBND, and NDBA testified in support of the bill. Thank you to Jacob Rued, First Western fraud investigator, for testifying on behalf of ICBND. The North Dakota Attorney General's office and Dakota Credit Union Association also testified in support. Representatives from Satoshi Action Fund, Bitcoin Depot, and CoinFlip testified in opposition. The committee has not yet acted on the bill.

HB 1441

HB 1441 was the second bill heard in House IBL on Wednesday. This bill defines specie (refined precious metal bullion that is coined, stamped, or imprinted with its weight and purity and valued primarily based on its metal content and not its shape or form) and then defines specie legal tender in NDCC as gold or silver specie issued by the United States or any other form of gold or silver specie. The bill then goes on to include legal tender within the definition of money, which would require lenders, including banks, to accept gold or silver as payment for debt. ICBND did not get to testify in opposition to the bill due to time limits imposed by the committee, but we are opposed to the bill and signed in to the record as such. Amendments to ensure no person or entity is required to accept specie legal tender as debt payment were proposed during the hearing. The committee did not act on this bill either.

SB 2164

We continued to work with the Senate Human Services committee and Protection and Advocacy Project on amendments that would make this bill palatable. We believe we have found a compromise that would allow P&A access to the records they need, while ensuring they follow the same process other state agencies are required to, bare some burden of proof, and banks are protected by NDCC when releasing the records. The committee will likely meet to take action next week.

HB 1278

We continue to meet with representatives from the Governor's Office, legislative leadership, and BND regarding the cash management bill. While a hearing has not been scheduled yet, all parties are working together to find some middle ground. Early amendment drafts look promising.

WEEK 2 SCHEDULE

Monday, January 27

10:00 a.m.	HB 1141	Prohibition on using public services or property for political purpose	House IBL	327C
10:30 a.m.	SB 2310	Garnishment increase bill	Senate I&B	Fort Union

Tuesday, January 28

10:00 a.m.	SB 2028	DFI budget approval process bill	House IBL	327C
10:15 a.m.	HB 1507	Cooperative bank charter bill	House IBL	327C
2:15 p.m.	HB 1239	This bill creates numerous protections for digital asset mining and blockchain technology.	House IBL	327C

Wednesday, January 29

10:00 a.m.	HB 1271	Exceptions for statements of full consideration (quitclaim deeds)	House Judiciary	327B
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Thursday, January 30

No hearings scheduled at this time.

Friday, January 31

8:30 a.m.	HB 1102	Appropriation for BCI cybercrime resources	House Approps.-E&E	Prairie
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LEGISLATIVE DEADLINES

January 27	Deadline for Senators to introduce bills.
January 30	Deadline for introducing resolutions except amendments to the Constitution of North Dakota and study resolutions.
February 28	Crossover date for bills
March 3-4	Recess
March 5	Reconvene from crossover break.
March 12	Crossover date for resolutions
May 2	Session limited to 80 legislative days.

Legislator contact information can be found at <https://ndlegis.gov/contact-my-legislators>, and you can check on any legislative activities through the Legislative Council's web page at ndlegis.gov.

Thank you for your participation in the legislative process. Please call, email, or text me with any questions or concerns. If you'd like to be taken off this distribution list or if there are others in your organization that should be receiving these updates, please let me know.

Sincerely,

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