

**Sixty-seventh Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 5, 2021**

HOUSE BILL NO. 1398  
(Representatives O'Brien, Lefor, D. Ruby, Strinden, Thomas)  
(Senators Kreun, J. Roers, Sorvaag)

AN ACT to create and enact a new section to chapter 34-01 of the North Dakota Century Code, relating to prohibitions on political subdivisions regulating paid family leave.

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

**SECTION 1.** A new section to chapter 34-01 of the North Dakota Century Code is created and enacted as follows:

**Paid family leave - Political subdivision prohibition.**

1. As used in this section:
  - a. "Employee" means an individual employed in this state by an employer.
  - b. "Employer" means a person that does business in this state. The term does not include a public employer.
  - c. "Paid family leave" includes employment benefits for an employee to take time off work to care for an ill family member or to bond with a new child entering the family.
  - d. "Public employer" means the state and each political subdivision of the state.
2. A political subdivision may not adopt or enforce an ordinance that requires an employer to provide to an employee paid family leave that exceeds the requirements of federal or state laws and rules.

Keith Hogsdun  
Speaker of the House

Erin Speltz  
President of the Senate

Bull J. Reck  
Chief Clerk of the House

Mandi Meyer  
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1398.

House Vote:      Yeas 79                  Nays 14                  Absent 1

Senate Vote:      Yeas 39                  Nays 7                  Absent 1

Bull J. Reck  
Chief Clerk of the House

Received by the Governor at 9:33 AM. on March 11, 2021.

Approved at 1:23 PM. on March 16, 2021.

Doug Burgum  
Governor

Filed in this office this 16th day of March, 2021,  
at 2:23 o'clock P. M.

Alvin D. Jueger  
Secretary of State