

**HOUSE BILL NO. 1193**

Introduced by

Representatives Johnston, Becker, Devlin, B. Koppelman, Lefor, Marschall, D. Ruby, Schatz  
Senators Kreun, O. Larsen, J. Roers, Sorvaag

1 A BILL for an Act to create and enact a new section to chapter 34-06 of the North Dakota  
2 Century Code, relating to a living wage mandate prohibition for political subdivisions; and to  
3 provide for application.

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

5 **SECTION 1.** A new section to chapter 34-06 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Living wage mandate prohibition - Political subdivisions.**

8 1. As used in this section:

9 a. "Employ" has the same meaning as provided under section 34-06.1-02.

10 b. "Employer" includes a person acting directly or indirectly in the interest of an  
11 employer in relation to an employee. The term may include a public agency, other  
12 than the federal government, and an employer that has a contract or subcontract  
13 with a political subdivision or that has received tax abatements, loan guarantees,  
14 or other financial assistance from the political subdivision.

15 c. "Living wage mandate" means a requirement enacted by a political subdivision  
16 which requires an employer to pay any or all of the employees of the employer a  
17 wage rate not otherwise required under the law of this state or federal law.

18 d. "Political subdivision" includes a city, county, township, school district, or any  
19 other local government of this state.

20 2. A political subdivision may not enact, maintain, or enforce by charter, ordinance,  
21 purchase agreement, contract, regulation, rule, or resolution a living wage mandate in  
22 an amount greater than the applicable minimum wage rate of this state.

23 **SECTION 2. APPLICATION.** This Act applies to a living wage mandate, regardless of  
24 whether enacted before or after the effective date of this Act.