

Sixty-second  
Legislative Assembly  
of North Dakota

Introduced by

1 A BILL for an Act amend and reenact subsection 5 of section 14-09-09.16 and section  
2 50-09-40 of the North Dakota Century Code, relating to reimbursement for withholding child  
3 support.

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

5 **SECTION 1. AMENDMENT.** Subsection 5 of section 14-09-09.16 of the North  
6 Dakota Century Code is amended and reenacted as follows:

7 5. The income payer may also withhold and retain an additional sum of ~~three~~  
8 \_\_\_\_\_ dollars per month from the obligor's income to cover expenses  
9 involved in transmitting payment.

10 **SECTION 2. AMENDMENT.** Section 50-09-40 of the North Dakota Century Code is  
11 amended and reenacted as follows:

12 **50-09-40. Report of gambling winnings.** Before a gaming operator makes a  
13 payment of winnings for which the gaming operator is required to file an internal revenue  
14 service form W-2G or substantially equivalent form, the gaming operator shall obtain the  
15 name, address, and social security number of the winner and submit the information to the  
16 state agency through a secure interactive website that is maintained by the state agency. If  
17 the state agency replies to the gaming operator that the winner does not owe past-due  
18 support or if the gaming operator is unable to receive information from the state agency  
19 after attempting in good faith to do so, the gaming operator may make the payment to the  
20 winner. If the state agency replies that the winner owes past-due support, the reply must  
21 include the amount of past-due support owed by the winner and the location of the office  
22 with which the winner may file a protest under section 50-09-14. The gaming operator shall

1 withhold from the payment to the winner an amount equal to the total winnings or the  
2 amount of past-due support, whichever is less. Within seven business days after  
3 withholding the payment, the gaming operator shall send the amount withheld to the state  
4 disbursement unit, along with the name, address, and social security number of the winner.  
5 The gaming operator may withhold and retain an additional sum of ~~three~~ \_\_\_\_\_ dollars from  
6 the winner to cover expenses involved in sending the payment. A gaming operator that  
7 withholds funds under this section is subject to the same duties and liabilities as an income  
8 payer under section 14-09-09.3 unless the context indicates otherwise and is immune from  
9 suit or liability for complying with this section.