

Sixty-second
Legislative Assembly
of North Dakota

Introduced by

1 A BILL for an Act to amend and reenact sections 34-15-03 and 34-15-04 of the North
2 Dakota Century Code, relating to electronic reporting of new hires; and to provide an
3 effective date.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 34-15-03 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 1. Except as provided in subsections 2 and 3, each employer shall furnish to the
8 directory of new hires a report that contains the name, address, and social
9 security number of each employee newly hired for work within this state, whether
10 the employer offers health insurance, and the employer's name and address and
11 the identifying number assigned under section 6109 of the Internal Revenue
12 Code of 1986, as amended [26 U.S.C. 6109], to the employer.

13 **SECTION 2. AMENDMENT.** Section 34-15-04 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **34-15-04. Reporting format.**

16 1. Each employer report required by this chapter must be made on a ~~W-4 form, or,~~
17 ~~at the option of the employer, an equivalent~~ form prescribed by the state
18 directory of new hires.

19 2. ~~The~~ Except as provided in subsection 3, the report may be transmitted by first-
20 class mail or by any magnetic or electronic means readable by the department,
21 including facsimile transmission, electronic mail, modem transmission, or other
22 means of electronic communication.

1 3. An employer that employs more than twenty-four employees at any time must
2 report new hires through an electronic method approved by the department. An
3 employer that does not comply with this subsection is deemed to have failed to
4 report new hires under section 34-15-05. The department may waive, upon a
5 showing of good cause, the requirement to report new hires electronically.

6 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective on January 1, 2012.