

**HOUSE BILL NO. 1060**

Introduced by

Legislative Management

(Taxation Committee)

1 A BILL for an Act to create and enact a new subsection to section 52-01-03 and a new  
2 subsection to section 57-38-57 of the North Dakota Century Code, relating to disclosure of  
3 certain information in possession of job service North Dakota or the tax commissioner to the  
4 department of commerce and restricting the use and disclosure of that information by the  
5 department of commerce.

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

7 **SECTION 1.** A new subsection to section 52-01-03 of the North Dakota Century Code is  
8 created and enacted as follows:

9 Job service North Dakota may enter an interagency agreement with the department of  
10 commerce for the sharing of information obtained pursuant to the administration of the  
11 unemployment insurance program, limited to wage and employment number records  
12 of employers identified by the department of commerce as having received North  
13 Dakota state economic development assistance. Information provided by job service  
14 North Dakota under an agreement may be used only for purposes of evaluation by the  
15 department of commerce of the compliance with statutory or contractual performance  
16 standards established for employers who received North Dakota state economic  
17 development assistance. Information received by the department of commerce under  
18 this subsection shall remain confidential and may not be divulged except in an  
19 aggregate format that does not permit the identification of information of any individual  
20 or employer. Any information furnished pursuant to this subsection or pursuant to  
21 interagency agreements authorized by this subsection is to be used for governmental  
22 purposes.

23 **SECTION 2.** A new subsection to section 57-38-57 of the North Dakota Century Code is  
24 created and enacted as follows:

1           The tax commissioner may provide the department of commerce information obtained  
2           in the administration of the income tax under this chapter. A request by the department  
3           of commerce for information must be in writing and must be limited to information  
4           necessary to evaluate the degree of success and compliance with statutory or  
5           contractual performance standards established for employers who received North  
6           Dakota state economic development assistance. A request under this subsection does  
7           not require the tax commissioner to compile or create a record, including compiling or  
8           creating a record from electronically stored information, which does not exist.  
9           Information received by the department of commerce under this subsection may not  
10          be divulged by the department of commerce except in an aggregate format that does  
11          not permit taxpayer identification and any information contained in the returns or  
12          reports filed by a taxpayer.