

HOUSE BILL NO. 1042

Introduced by

Legislative Management

(Judiciary Committee)

1 A BILL for an Act to amend and reenact section 28-04-05 of the North Dakota Century Code,
2 relating to actions having venue where the defendant resides.

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

4 **SECTION 1. AMENDMENT.** Section 28-04-05 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **28-04-05. Actions having venue where defendant resides.**

7 In all other cases, except as provided in section 28-04-03.1, and subject to the power of the
8 court to change the place of trial as provided by sections 28-04-09 and 28-04-10, the action
9 must be brought in the county in which the defendant or one of the defendants resides at the
10 time of the commencement of the action. If that county is attached to another county for judicial
11 purposes, the action must be brought in the latter county. If none of the defendants reside in the
12 state, the action either must be brought in the county in which the plaintiff ~~shall designate in the~~
13 ~~summons~~ or one of the plaintiffs resides or in the county in which the cause of action arose.