

Fifty-fifth  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1384

Introduced by

Representative Bernstein

Senator Heitkamp

1 A BILL for an Act to amend and reenact sections 43-09-22 and 43-09-23 of the North Dakota  
2 Century Code, relating to the inspections and penalties imposed by the state electrical board;  
3 and to provide a penalty.

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

5 **SECTION 1. AMENDMENT.** Section 43-09-22 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **43-09-22. Inspection of installation - Condemnation.** The board has jurisdiction over  
8 and shall provide inspection for all electrical installations. Inspectors authorized by the board  
9 may condemn installations hazardous to life and property ~~and or may order specific corrections~~  
10 ~~to be made. Inspectors may order service thereto discontinued. Such action may not be taken~~  
11 ~~except~~ after notice to the owner of the property ~~and~~. The order is subject to the owner's right of  
12 appeal to the board. No condemned installation may be reconnected for service until proof has  
13 been furnished that the installation has been brought up to the required standards. The board  
14 may charge the master electrician responsible for the installation a fee to cover the cost of  
15 inspection. Cities may make provisions for inspection of all electrical work done within their  
16 corporate limits. City inspectors shall register their names with the board within ten days after  
17 their appointment.

18 **SECTION 2. AMENDMENT.** Section 43-09-23 of the North Dakota Century Code is  
19 amended and reenacted as follows:

20 **43-09-23. ~~Penalty~~ Criminal penalty - Civil penalty.** Any person who violates any of  
21 the provisions of this chapter is guilty of a class B misdemeanor. In addition to any other  
22 penalty, the board may levy a civil penalty of not more than one hundred dollars per installation  
23 for a first offense and one thousand dollars per installation for a second or additional offenses  
24 upon any unlicensed person who, after a hearing or informal resolution in accordance with

1 chapter 28-32, is found to have performed, advertised for, or contracted for the making of  
2 electrical installations without a valid license issued by the board at the time of the actions in  
3 violation of section 43-09-09 or 43-09-09.2. In addition, the board may assess actual costs and  
4 reasonable attorney's fees necessary for the investigation and administrative proceeding  
5 against the unlicensed person found to have performed, advertised for, or contracted for the  
6 making of electrical installations, without a valid license. An appeal from any civil penalty or  
7 assessment of actual costs or attorney's fees imposed under this section may be made under  
8 chapter 28-32.