

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1314

Introduced by

Representatives Maragos, Glassheim

Senators Andrist, Burckhard

1 A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 54-05.1-03 and
2 section 54-05.1-07 of the North Dakota Century Code, relating to a duplicate lobbyist badge and
3 to a civil penalty for persons lobbying without registration with the secretary of state; and to
4 provide a penalty.

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

6 **SECTION 1. AMENDMENT.** Subdivision a of subsection 1 of section 54-05.1-03 of the
7 North Dakota Century Code is amended and reenacted as follows:

8 a. Before engaging in any of the activities listed in section 54-05.1-02, an individual
9 shall register with the secretary of state and receive a certificate of registration
10 and a distinctive lobbyist identification badge that must be prominently worn by
11 the lobbyist when engaged in any of the activities listed in section 54-05.1-02
12 while on the capitol grounds. In lieu of wearing the official badge provided by the
13 secretary of state, a lobbyist may wear a reasonable reproduction of the official
14 badge that contains the name of the lobbyist and any of the following: the word
15 lobbyist, the registration number of the lobbyist, or the organization name of the
16 lobbyist in characters no smaller than one-quarter inch [6.35 millimeters]. If a
17 lobbyist's official badge is lost or destroyed, the lobbyist may obtain a duplicate
18 badge by applying to the secretary of state and paying a fee of ten dollars.

19 **SECTION 2. AMENDMENT.** Section 54-05.1-07 of the North Dakota Century Code is
20 amended and reenacted as follows:

21 **54-05.1-07. Penalty.**

22 Any person who violates any provisions of this chapter is guilty of a class B misdemeanor
23 except that a violation of section 54-05.1-02 or 54-05.1-03 is an infraction. Whether a person is
24 subjected to criminal prosecution under this section, and in addition to the registration fee that

1 may be assessed when the person submits the registration to the secretary of state, the person
2 may be assessed a civil penalty by the secretary of state, following written notice to the person
3 of an intent to assess the penalty, in an amount not to exceed two times the amount set forth in
4 subdivision e of subsection 1 of section 54-05.1-03 which is chargeable to a lobbyist. Any civil
5 penalty must be assessed and collected before a person is issued a certificate of registration.
6 The assessment of a civil penalty may be appealed to the district court of the person's county of
7 residence or Burleigh County, but only on the basis that the secretary of state's administrative
8 determination that the person acted as a lobbyist when not registered as a lobbyist was clearly
9 erroneous.