

HOUSE BILL NO. 1085

Introduced by

Representative Wald

(At the request of the Industrial Commission)

1 A BILL for an Act to amend and reenact section 38-08.1-07 of the North Dakota Century Code,
2 relating to penalties for violation of oil and gas laws, rules, and orders; and to provide a penalty.

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

4 **SECTION 1. AMENDMENT.** Section 38-08.1-07 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **~~38-08.1-07. Failure to comply with chapter~~ Penalty Civil and criminal penalties.**

7 ~~Any person violating any of the provisions of this chapter is guilty of a class B misdemeanor.~~

- 8 1. A person who violates any provision of this chapter or commission rule or order is
9 subject to a civil penalty imposed by the commission not to exceed twelve
10 thousand five hundred dollars for each offense, and each day's violation is a
11 separate offense. A penalty imposed under this section, if not paid, may be
12 recovered by the commission in the district court of the county in which the
13 defendant resides, or in which any defendant resides if there is more than one
14 defendant, or in the district court of any county in which the violation occurred.
15 Payment of the penalty does not legalize the activity for which the penalty was
16 imposed, or relieve the person upon whom the penalty was imposed from liability
17 to any other person for damage caused by the violation.
- 18 2. Notwithstanding this section, a person who willfully violates any provision of this
19 chapter or a commission rule or order is guilty of a class C felony.