

Fifty-sixth  
Legislative Assembly  
of North Dakota

ENGROSSED 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 one thousand  
10 dollars for each offense, and each day's violation is a separate offense. A penalty  
11 imposed under this section, if not paid, may be recovered by the commission in the  
12 district court of the county in which the defendant resides, or in which any  
13 defendant resides if there is more than one defendant, or in the district court of any  
14 county in which the violation occurred. Payment of the penalty does not legalize  
15 the activity for which the penalty was imposed, or relieve the person upon whom  
16 the penalty was imposed from liability to any other person for damage caused by  
17 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.