

HOUSE BILL NO. 1120

Introduced by

Judiciary Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to amend and reenact section 32-05-02 of the North Dakota Century Code,
2 relating to exceptions to use of preventive relief to enforce penal statutes.

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

4 **SECTION 1. AMENDMENT.** Section 32-05-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **32-05-02. Preventive relief not given to enforce penal law - Exceptions.** Preventive

7 1. Except as provided in subsection 2, preventive relief cannot may not be granted to
8 enforce a penal law, ~~except in a case of nuisance, nor~~ or to enforce a penalty or
9 forfeiture in any case.

10 2. Preventive relief may be granted to enforce a penal law:

11 a. In a case of nuisance; or

12 b. That proscribes conduct except by persons properly licensed or authorized
13 under this code.