

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2040

In lieu of the amendments adopted by the House as printed on page 801 of the House Journal, Engrossed Senate Bill No. 2040 is amended as follows:

Page 1, line 2, after "practices" insert "; to amend and reenact section 51-15-09 of the North Dakota Century Code, relating to barred claims for relief; and to declare an emergency"

Page 1, line 10, after the underscored period insert "This section does not authorize a private claim for relief for a violation of this section and no entity other than the attorney general may enforce this section.

SECTION 2. AMENDMENT. Section 51-15-09 of the North Dakota Century Code is amended and reenacted as follows:

51-15-09. Claims not barred. ~~The provisions of~~ Except as provided in section 1 of this Act, this chapter ~~de~~ does not bar any claim for relief by any person against any person who has acquired any moneys or property by means of any practice declared to be unlawful in this chapter. If the court finds the defendant knowingly committed the conduct, the court may order that the person commencing the action recover up to three times the actual damages proven and the court must order that the person commencing the action recover costs, disbursements, and actual reasonable attorney's fees incurred in the action.

SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly