

**HOUSE BILL NO. 1314**

Introduced by

Representatives Maragos, Glassheim

Senators Andrist, Burckhard

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

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

5 **SECTION 1. AMENDMENT.** Section 54-05.1-07 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **54-05.1-07. Penalty.**

8 Any person who violates any provisions of this chapter is guilty of a class B misdemeanor  
9 except that a violation of section 54-05.1-02 or 54-05.1-03 is an infraction. Whether a person is  
10 subjected to criminal prosecution under this section, and in addition to the registration fee that  
11 may be assessed when the person submits the registration to the secretary of state, the person  
12 may be assessed a civil penalty by the secretary of state, following written notice to the person  
13 of an intent to assess the penalty, in an amount not to exceed two times the amount set forth in  
14 section 54-05.1-03. Any civil penalty must be assessed and collected before a person is issued  
15 a certificate of registration. The assessment of a civil penalty may be appealed to the district  
16 court of the person's county of residence or Burleigh County, but only on the basis that the  
17 secretary of state's administrative determination that the person acted as a lobbyist when not  
18 registered as a lobbyist was clearly erroneous.