

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 subdivision e of subsection 1 of section 54-05.1-03 which is chargeable to a lobbyist. Any civil
15 penalty must be assessed and collected before a person is issued a certificate of registration.
16 The assessment of a civil penalty may be appealed to the district court of the person's county of
17 residence or Burleigh County, but only on the basis that the secretary of state's administrative
18 determination that the person acted as a lobbyist when not registered as a lobbyist was clearly
19 erroneous.