

Sixty-second  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1314

Introduced by

Representatives Maragos, Glassheim

Senators Andrist, Burckhard

1 A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 54-05.1-03 and  
2 section 54-05.1-07 of the North Dakota Century Code, relating to a duplicate lobbyist badge and  
3 to a civil penalty for persons lobbying without registration with the secretary of state; and to  
4 provide a penalty.

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

6 **SECTION 1. AMENDMENT.** Subdivision a of subsection 1 of section 54-05.1-03 of the  
7 North Dakota Century Code is amended and reenacted as follows:

- 8 a. Before engaging in any of the activities listed in section 54-05.1-02, an individual  
9 shall register with the secretary of state and receive a certificate of registration  
10 and a distinctive lobbyist identification badge that must be prominently worn by  
11 the lobbyist when engaged in any of the activities listed in section 54-05.1-02  
12 while on the capitol grounds. In lieu of wearing the official badge provided by the  
13 secretary of state, a lobbyist may wear a reasonable reproduction of the official  
14 badge that contains the name of the lobbyist and any of the following: the word  
15 lobbyist, the registration number of the lobbyist, or the organization name of the  
16 lobbyist in characters no smaller than one-quarter inch [6.35 millimeters]. If a  
17 lobbyist's official badge is lost or destroyed, the lobbyist may obtain a duplicate  
18 badge by applying to the secretary of state and paying a fee of ten dollars.

19 **SECTION 2. AMENDMENT.** Section 54-05.1-07 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21 **54-05.1-07. Penalty.**

22 Any person who violates any provisions of this chapter is guilty of a class B misdemeanor  
23 except that a violation of section 54-05.1-02 or 54-05.1-03 is an infraction. Whether a person is  
24 subjected to criminal prosecution under this section, and in addition to the registration fee that

1 may be assessed when the person submits the registration to the secretary of state, the person  
2 may be assessed a civil penalty by the secretary of state, following written notice to the person  
3 of an intent to assess the penalty, in an amount not to exceed two times the amount set forth in  
4 subdivision e of subsection 1 of section 54-05.1-03 which is chargeable to a lobbyist. Any civil  
5 penalty must be assessed and collected before a person is issued a certificate of registration.  
6 The assessment of a civil penalty may be appealed to the district court of the person's county of  
7 residence or Burleigh County, but only on the basis that the secretary of state's administrative  
8 determination that the person acted as a lobbyist when not registered as a lobbyist was clearly  
9 erroneous.