

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2243

Page 4, line 29, after “penalty” insert “of”

Page 4, line 30, overstrike “exceeding” and insert immediately thereafter “less than two thousand five hundred dollars but not exceeding the greater of”

Page 4, line 30, overstrike “whichever is”

Page 4, line 30, remove “greater”

Page 4, line 30, overstrike the second comma

Page 4, line 30, replace “reasonable” with “actual”

Page 4, line 31, after “costs.” insert “A mobile home park license, issued under chapter 23-10, may be suspended by the district court of the county where the mobile home park is situated for a violation of this section. The holder of the mobile home park license shall be assessed a civil penalty of not less than fifty percent of the entire monthly site rent and home rent charges found on the current rent roll for the subject property for each day that person’s license remains suspended with the civil penalty payable to the named plaintiffs in the action that resulted in the license suspension. Prior to the license being reinstated, the holder of the mobile home park license must remedy each violation and provide proof of the same and must satisfy all civil penalties assessed as part of the court action. The district court shall have discretion as to what additional terms and conditions must be met before a license is reinstated. The park tenants must be allowed to continue to reside in the mobile home park through the duration of the licence suspension.”

Renumber accordingly

The intent is to have 47-10-28(9) read as follows:

A person that violates a provision of this section is subject to a civil penalty of not less than two thousand five hundred dollars but not exceeding the greater of ten thousand dollars or actual damages, plus actual attorney’s fees and costs. A mobile home park license, issued under chapter 23-10, may be suspended by the district court of the county where the mobile home park is situated for a violation of this section. The holder of the mobile home park license shall be assessed a civil penalty of not less than fifty percent of the entire monthly site rent and home rent charges found on the current rent roll for the subject property for each day that person’s license remains suspended with the civil penalty payable to the named plaintiffs in the action that resulted in the license suspension. Prior to the license being reinstated, the holder of the mobile home park license must remedy each violation and provide proof of the same and must satisfy all civil penalties assessed as part of the court action. The district court shall have discretion as to what additional terms and conditions must be met before a license is reinstated. The park tenants must be allowed to continue to reside in the mobile home park through the duration of the licence suspension.