

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1325

Page 1, line 1, after "39-06.1-06" insert "and section 40-05-06"

Page 1, line 2, after "offenses" insert "and limits on city fines and penalties"

Page 2, after line 8, insert:

"SECTION 2. AMENDMENT. Section 40-05-06 of the North Dakota Century Code is amended and reenacted as follows:

40-05-06. City fines and penalties limited.

1. Except as provided in subsections 2 and 3, the fine or penalty for the violation of any ordinance, resolution, or regulation of a city may not exceed one thousand five hundred dollars, and the imprisonment may not exceed thirty days for one offense.
2.
 - a. For every violation of a city ordinance that regulates the operation or equipment of a motor vehicle or which regulates traffic, except those ordinances listed in section 39-06.1-05, a fee may be established, by ordinance, which may exceed, by up to one hundred percent, the limit, for an equivalent category of violation, set forth in section 39-06.1-06.
 - b. If a city establishes an ordinance with a fee exceeding the limit for an equivalent category of violation as set forth in section 39-06.1-06, the city, at least annually, shall submit to the state treasurer for deposit into the state tuition fund a payment of the total amount collected.
3. For every violation of a city ordinance enforcing the requirements of title 40, Code of Federal Regulations, section 403 relating to publicly owned treatment works, or prohibiting shoplifting, vandalism, criminal mischief, or malicious mischief, the penalty may not exceed a fine of one thousand five hundred dollars, imprisonment for thirty days, or both such fine and imprisonment.
4. This section does not prohibit the use of the sentencing alternatives, other than a fine or imprisonment, provided by section 12.1-32-02 for the violation of a city ordinance, nor does this section limit the use of deferred or suspended sentences under subsections 3 and 4 of section 12.1-32-02."

Renumber accordingly