

## Wolf, Lynn

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**From:** Lee, Judy E.  
**Sent:** Friday, March 31, 2023 10:10 AM  
**To:** -Grp-NDLA Senate State and Local Government; Dever, Pam; Wolf, Lynn; NDLA, Intern  
03 - McCormick, Connor  
**Subject:** Re: HB 1230

Here is info from LC on 1230

Senator Judy Lee

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**From:** Joseph, Christopher <cjoseph@ndlegis.gov>  
**Sent:** Friday, March 31, 2023 10:01 AM  
**To:** Lee, Judy E. <jlee@ndlegis.gov>  
**Subject:** HB 1230

Good morning Senator Lee,

This email is in response to your inquiry regarding House Bill No. 1230 (2021). Under North Dakota Century Code Section 16.1-01-10, whenever the Secretary of State discovers a violation of law, the secretary of state is obligated to report the violation the Attorney General. So for purposes of administering the bill, the Attorney General would be administering the prosecution of any violation of the provisions within House Bill No. 1230.

In sum, a criminal penalty (like the ones on page 3, lines 6 through 17) means the violation can result in capital punishment (death penalty), jail time, incarceration, probation, legal fees, revocation of certain licenses, loss of certain rights, loss of citizenship, retribution, or rehabilitation.

A civil penalty (like the one listed on page 3, lines 18 through 23 [\$1,000 fine]) is a non-criminal remedy for a party's violations of laws or regulations. Civil penalties usually only include civil fines or other financial payments as a remedy for damages.

[Here](#) is a link to North Dakota's penalties for misdemeanors and felonies (Section 12.1-32-01 and 12.1-32-01.1).

I hope this information is helpful Senator Lee. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

**Christopher S. Joseph**  
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North Dakota Legislative Council  
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**From:** Lee, Judy E. <jlee@ndlegis.gov>  
**Sent:** Friday, March 31, 2023 9:25:20 AM  
**To:** Bjornson, John D. <jbjornson@ndlegis.gov>  
**Subject:** HB 1230

The State & Local Gov't committee needs clarification about the misdemeanor and felony penalties in this bill, who "administers" it, as the chair said, and how it works. What is a criminal and what is a civil offense? A quick response, perhaps from the drafter, to SLG in 216 or in an email would be VERY helpful. An uninformed person is trying to tell us about it.

Senator Judy Lee  
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