

SENATE BILL NO. 2315

Introduced by

Senator Magrum

Representatives S. Olson, Hendrix

1 A BILL for an Act to create and enact a new section to chapter 54-05.1 of the North Dakota
2 Century Code, relating to restrictions on legislative lobbyists; to amend and reenact section
3 54-05.1-07 of the North Dakota Century Code, relating to penalties for legislative lobbyists; and
4 to provide a penalty.

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

6 **SECTION 1.** A new section to chapter 54-05.1 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Lobbyists prohibited from entering legislative chambers - Exception.**

9 An individual required to register under this chapter is prohibited from entering the
10 chambers of the house of representatives or the senate during a regular or special session of
11 the legislative assembly unless the individual:

- 12 1. Is present in either the balconies of the house of representatives or the senate; or
- 13 2. Receives written permission from the majority leader of the chamber to enter the
14 majority leader's office.

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

17 **54-05.1-07. Penalty.**

18 ~~Any person~~An individual who violates any ~~provisions~~provision of this chapter is guilty of a
19 class B misdemeanor except that a violation of section 54-05.1-02 ~~or~~, 54-05.1-03, or section 1
20 of this Act is an infraction. Whether a ~~person~~an individual is subjected to criminal prosecution
21 under this section, and in addition to the registration fee that may be assessed when the
22 ~~person~~individual submits the registration to the secretary of state, the ~~person~~individual may be
23 assessed a civil penalty by the secretary of state, following written notice to the ~~person~~individual
24 of an intent to assess the penalty, in an amount not to exceed two times the amount set forth in

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Legislative Assembly

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