

Sixty-ninth
Legislative Assembly
of North Dakota

**FIRST ENGROSSMENT
with Senate Amendments**

ENGROSSED HOUSE BILL NO. 1088

Introduced by

Industry, Business and Labor Committee

(At the request of the Insurance Commissioner)

1 A BILL for an Act to amend and reenact section 26.1-01-03.3 of the North Dakota Century
2 Code, relating to penalties for violation of the insurance title; and to provide a penalty.

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

4 **SECTION 1. AMENDMENT.** Section 26.1-01-03.3 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **26.1-01-03.3. Penalty for violation of title.**

7 1. Unless otherwise provided by law, a person who violates this title is subject, after
8 hearing by the commissioner, to payment of an administrative monetary ~~penalty~~ fine of
9 up to ten thousand dollars for each violation.

10 2. In addition to or in lieu of a monetary fine, the commissioner, after a hearing, may
11 require restitution in the amount of direct financial loss be made to any person directly
12 harmed by a violation of this title. The commissioner may not determine or adjudicate
13 whether an obligation is owed under a policy or contract of insurance, or require a
14 person to pay a claim or an amount claimed owed under a policy or contract of
15 insurance.