

Fifty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1348

Introduced by

Representatives Ekstrom, Glassheim, S. Kelsh

Senators Holmberg, Thompson

1 A BILL for an Act relating to price gouging; and to provide a penalty.

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

3 **SECTION 1. Price gouging prohibited - Remedies - Penalty.**

- 4 1. During a disaster or an emergency as defined in section 37-17.1-04, the value
5 received for goods and services sold within the area and duration of the designated
6 disaster or emergency may not exceed the prices ordinarily charged for
7 comparable goods and services in the same market area at, or immediately before,
8 the time of the declaration of the disaster or emergency. However, the value
9 received may include reasonable expenses and a charge for any attendant
10 business risk, in addition to the costs of the goods and services, which necessarily
11 are incurred in procuring the goods and services during the disaster or emergency.
- 12 2. A contract or agreement made in violation of this section is void and the purchaser
13 or offeree of a good and service is entitled to receive as damages three times the
14 difference between the ordinary price and the price charged or offered in violation
15 of this section.
- 16 3. A sale or offer for sale in violation of this section is a class A misdemeanor.