

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

SENATE BILL NO. 2102
(Industry, Business and Labor Committee)
(At the request of Job Service North Dakota)

AN ACT to amend and reenact subsection 2 of section 52-04-11 of the North Dakota Century Code, relating to the penalty for failure to submit employer contribution and wage reports; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 52-04-11 of the North Dakota Century Code is amended and reenacted as follows:

2. Any employer who fails to submit to the bureau any employer's contribution and wage report by the date due shall pay the bureau a penalty equal to five percent of the contributions due for each month or part of a month until the report is submitted. The penalty for the first month of the first delinquent report in a calendar year may not be less than twenty-five dollars. The penalty for the first month of any subsequent delinquent reports in a calendar year may not be less than one hundred dollars. The penalty for subsequent months may not exceed twenty percent of contributions due. The maximum penalty imposed by this subsection may not exceed ~~two~~ five hundred ~~fifty~~ dollars for any single report. The penalty imposed by this subsection may be waived if the bureau determines that the failure to submit the report timely was caused by circumstances beyond the control of the employer.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2102.

Senate Vote: Yeas 42 Nays 0 Absent 5

House Vote: Yeas 85 Nays 7 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,
at _____ o'clock _____ M.

Secretary of State